

# Manumission

COMMENTARY AND SIDEBAR NOTES BY DAVID WALBERT AND  
L. MAREN WOOD

Petition of Ned Hyman and Elizabeth Hagans to the North Carolina General Assembly, 23 November 1833. Records of the General Assembly, Session Records, North Carolina Division of Archives and History.

## As you read...

*Manumission* is the freeing of a slave. In the nineteenth century it was used interchangeably with *emancipation*, but now we tend to use *manumission* for a slaveholder's voluntary freeing of his slaves, and *emancipation* to describe the enforced freeing of all slaves (such as by the Emancipation Proclamation).

Slaves could be manumitted — become free — in a couple of different ways. If they were allowed to work for themselves in addition to working for their owners, they might save up enough money to buy themselves from their owners. Slaveholders sometimes freed individual slaves whom they particularly liked — including often the master's own children by his slaves, though this was never admitted. Slaveholders most often freed slaves after their own deaths, through their wills. Only very rarely did slaveholders free all their slaves, even through their wills; few were far enough out of debt to be able to give up such valuable property, even if they wanted to do so, and their children might contest a will that wiped out their inheritance.

From the colonial period until 1830, county courts had jurisdiction over manumission. A county court could free a slave if the owner requested it, if the slave had performed “meritorious service,” and if the slave and master posted a bond — to guarantee the freed slave's good behavior. A *bond* was a legal document in which the master agreed to pay a certain amount of money if his former slave broke any laws or required any charity from the community. The securities were a piece of property or a bank note (similar to a check) that was signed over to the state of North Carolina. The former master had to provide two securities each worth \$1000. The property or money would be taken from the master only if his former slave became a burden to the community.

Some courts had low standards for “meritorious service” or ignored that provision entirely; some courts granted manumission almost whenever it was requested, especially in counties with large Quaker populations. If the county court refused, the slaveholder could also petition the General Assembly, which frequently passed special acts granting freedom to individual slaves.

In 1830, the state superior court was given jurisdiction over manumission. After 1830, a master wishing to free a slave had to file a written petition with the superior court, publish a notice of his intention for six weeks, and give \$1,000 bond as assurance of the freedman's good behavior (\$500 for elderly slaves who had performed “meritorious service”). The freedman then had to leave the state within 90 days; freed slaves who returned to North Carolina would be arrested and sold again into slavery.

### QUESTIONS TO CONSIDER

The General Assembly sent this petition to its Committee on Propositions and Grievances for consideration, but did not take any further action. We don't know what happened to Ned Hyman and his wife afterward.

1. What evidence did Ned Hyman present to the state legislature as part of his petition to win his freedom?
2. Who owned Hyman?
3. Why did Hyman feel he was particularly worthy of manumission?
4. What words did Hyman use to describe his own character? His wife's character? Why would these attributes be important to mention in this petition?
5. What types of property did Hyman (and his wife Elizabeth) own?
6. How was Hyman able to earn money to buy property?
7. According to Hyman, what would he lose if he were sold? Why did he feel that his situation was more grievous than that of other slaves who might be sold?
8. Slaves could not legally own property, so who legally owned Hyman's property? What does this arrangement tell you about the precarious social and legal situation of enslaved people?
9. How can we tell that Ned and his wife did not write this petition themselves?

To the Honorable The General Assembly –  
of North Carolina –

The petition of Ned Hyman (a slave) humbly complaining sheweth unto The Honorable The General Assembly ~~aforsaid~~<sup>1</sup>, that your petitioner now residing in the Town Williamston in the County of Martin & state ~~aforsd~~, and by occupation a farmer — was born some fifty four or five years ago ~~the property & slave of one Jno.~~<sup>2</sup> Hyman of Bertie County, that ~~sd~~<sup>3</sup> Master Saml.,<sup>4</sup> that after ~~sd~~ Master Saml., in whose possession and under whose control and ~~management~~ your petitioner lived and served from the time up to the death of ~~sd~~ Master Saml — which happened some time in the year 1828 — Since that time your petitioner ~~with little exception~~ has been under the control of the Executor of his ~~sd~~ ~~decd.~~<sup>5</sup> Master. Your petitioner would further state, that during his long period and through every change of Master or service your petitioner has been a faithful and an honest servant to the interest of him or her whom it was his duty to serve — and of this he hopes he can give the most satisfactory testimonials. Your petitioner would further state that some time about his Twenty-seventh year he intermarried with one Elizabeth Hagans a free woman of Colour with whom he has lived in friendship and harmony with little or no exception ever since; (and although your petitioner has been informed that the ~~sd~~ union or marriage did not constitute your petitioner & ~~sd~~ Elizabeth “husband & wife” in the Legal acceptance of that phrase — yet your humble petitioner would ask the indulgence of your Honorable body and hope that it will not be considered at all presuming, to use these words, through out the remainder of this petition and the other writings accompanying it, when ever there may be necessity for them or either of them, instead of words — of like import --) Your petitioner would further state, that through the indulgence and advantages which his kind & benevolent master extended to him, aided by his industry prudence and frugality and seconded by the virtues and exertions on the part of your petitioners wife — Elizabeth, (~~not less profitable,~~) your petitioner has had the good fortune to accumulate an estate worth from five to six thousand dollars; consisting of lands chiefly live stock negroes and money, the right & title to all which except the money is vested in your petitioners wife Elizabeth —

Your petitioner would further state that it was the wish of his decd Master Saml. Hyman expressed to his family often times during his last illness that your petitioner after his death should do service as a slave to no person — but that as far as was consistent with the Laws of the State he wished him to be free — alleging as the reasons, that your petitioner had been a trusty faithful and obedient servant to him through a long period of years; that your petitioner would further state that in furtherance of this kind and benevolent wish of your petitioners decd Master for your petitioners future freedom and happiness, his Executor Jno. S. Bryan has (At your petitioners request) sold your petitioner to your petitioners sd wife Elizabeth. — that your petitioner by his sd. wife Elizabeth has three children Penny, Sarah, and Ned — the two daughters are of full age, the son nearly so — that your petitioner has been informed that by, either the death of his sd wife Elizabeth or a change in her feelings or disposition towards your petitioner, your petitioner might not only lose his whole estate but even that portion of freedom and happiness, which by the kindness of his wife he is now permitted to enjoy. But your petitioner in justice to his kind and affectionate wife Elizabeth would further state, that she is not disposed at all to abridge in the least degree the liberty or happiness of your petitioner but wishes and desires (if consistent with the will of the Honorable The Genl. Assembly aforesd) that the same may be enlarged & increased — that she is therefore perfectly willing and anxiously desires to give up her sd title to your petitioner to the Honorable Genl. Assembly aforesaid that they may confer the same (by an act of manumission) to gether with such other liberties and privileges & immunities as other free persons of Colour now by law enjoys, — upon your petitioner — that to this end & for this purpose the sd Elizabeth the wife of your petitioner will unite with your petitioner in praying The Honorable Genl. Assembly aforesad — that they would take his case into consideration and to pass such an act in favor of your petitioners manumission they as they in their wisdom may deem meet and proper — that in Confirmation of the sd Elizabeths sincerity in this prayer and request she will most willingly Sign this petition with your petitioner — Your petitioner considers that further enlarging might be trespassing too much upon the time of The Honorable the Genl. Assembly aforesaid — But in conclusion however your petitioner would further stat that from this facts already stated it must be apparent in what an unpleasant and grievous situation your petitioner is placed — He has by laboring of in the nights and as such other spare times as his master would give him and by his prudence and frugality acquired an estate which (Say nothing of the uncertainties of life) he has not the assurance of enjoying even for a day — that he in a single hour might be placed in a worse condition than the day he began his life — that your petitioner has by his faithfulness and extraordinary attention to his masters business and interest secured his esteem and favor and obtained his sincere wishes that your petitioner should be freed — & the nearest your petitioner has been able to approach an end so desirable to his decd Master, is, to have your petitioner vested in your petitioners sd wife Elizabeth — that it must be evident to the Honorable The Genl. Assemble from these facts in what a precarious condition, stand the property, the liberty and [e]ven the happiness itself of your petitioner — Your petitioner together with his wife Elizabeth therefore pray the Genl. Assembly aforesd in tender consideration of his unhappy and grievous condition to pass such an act for his benefit and relief, as in their wisdom may seem meet & in their justice may seem right & proper & your humble petitioners is in duty bound will ever pray & c — signed —

Test<sup>6</sup> Wm. B. Bennett  
E. S. Smithwick  
Ned Hyman his X mark  
Elizabeth Hagans her X mark

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## Notes

1. The crossed-out text was crossed out in the original document.
2. Jno was an abbreviation for John.
3. Sd is an abbreviation for said.
4. Saml is an abbreviation for Samuel.
5. Decd. is an abbreviation for deceased.
6. Test. is an abbreviation for testimony, which in this case means to witness.

## Contributors

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David holds a Ph.D. in History from the University of North Carolina at Chapel Hill. He is the author of *Garden Spot: Lancaster County, the Old Order Amish, and the Selling of Rural America*, published in 2002 by Oxford University Press. With LEARN NC, he has written numerous articles for K–12 teachers on topics such as historical education, visual literacy, writing instruction, and technology integration.

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