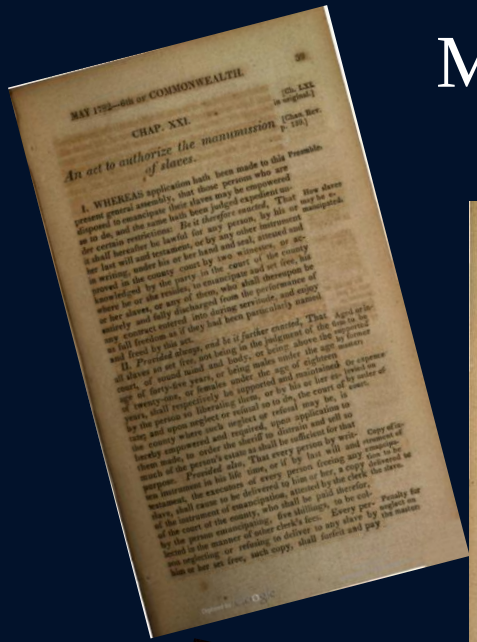
Manumission, Willed, or Buying Their Freedom


MAY 1782—4th of COMMONWEALTH. 29

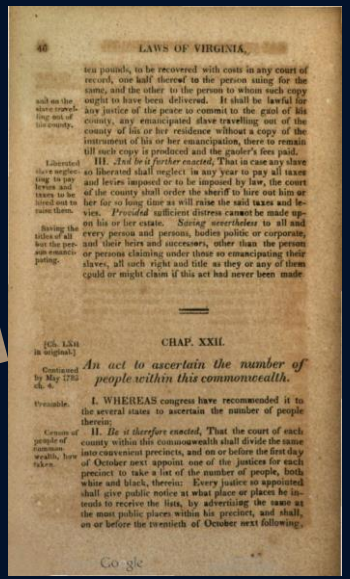
CHAP. XXI. [Ch. LXI. in original.]

An act to authorize the manumission of slaves. [Chan. Rev. p. 125.]

I. WHEREAS application hath been made to this present general assembly, that those persons who are disposed to emancipate their slaves may be empowered so to do, and the same hath been judged expedient: Be it therefore enacted, That any free slaves for certain meritorious services, may be set free. it shall hereafter be lawful for any person, by his or her last will and testament, or by any other instrument in writing, under his or her hand and seal, attested and proved in the county court by two witnesses, or acknowledged by the party in the court of the county where he or she resides, to emancipate and set free, his slaves, or any of them, who shall thereupon be entirely and fully discharged from the performance of any contract entered into during servitude, and enjoy as full freedom as if they had been particularly named in this act.

II. *Provided always,* and be it further enacted, That aged or infirm slaves, not being in the judgment of the court, of sufficient mind and body, or being under the age of thirty-one years, females under the age of twenty-one years, males under the age of eighteen years, or employed in some useful occupation, may be emancipated by deed or will, as aforesaid, if the court, by the person so emancipating, or his or her executors, shall respectively be thereto required, shall be satisfied by sufficient evidence, that provision is made by the person so emancipating, or his or her executors, or some other person, for the support and maintenance of such slaves, when they shall become aged or infirm, or otherwise unable to support themselves; and the court of the county where such neglect or refusal may be, is hereby empowered, and required, upon application to them made, to order the sheriff to distrain and sell so much of the person's estate as shall be sufficient for that purpose. Provided also, That no will and testament of any person, so dying within this state, shall be effectual for the emancipation of his slaves, unless the same be proved by the oaths of two witnesses in the court of the county where the testator resided, or acknowledged by the party in the said court, and ordered to be recorded within eight months after the death of the testator; nor unless a copy of such will be delivered to the clerk of the said court within three months after probate thereof. And every person who shall emancipate his slaves, shall cause to be delivered to him or her, a copy certified by the clerk of the court of the county, who shall be paid therefor, the sum of five shillings, to be collected as other clerk's fees. Every person so emancipating, who shall refuse or neglect to deliver such copy, shall forfeit and pay for every such refusal or neglect, the sum of ten pounds, to be recovered with costs in any court of record, one half thereof to the person suing for the same, and the other to the person to whom such copy ought to have been delivered. It shall be lawful for any justice of the peace to commit to the gaol of his county, any emancipated slave travelling out of the county of his or her residence without a copy of the instrument of his or her emancipation, there to remain till such copy is produced and the gaoler's fees paid.

III. *And be it further enacted,* That in case any slave so liberated shall neglect in any year to pay all taxes and levies imposed or to be imposed by law, the court of the county shall order the sheriff to hire out him or her for so long time as will raise the said taxes and levies. *Provided* sufficient distress cannot be made upon his or her estate. *Saving nevertheless* to all and every person and persons, bodies politic or corporate, and their heirs and successors, other than the person or persons claiming under those so emancipating their slaves, all such right and title as they or any of them could or might claim if this act had never been made.


40 LAWS OF VIRGINIA.

and on the slaves travelling out of his county.

Liberated slave neglecting to pay levies and taxes to be hired out to raise them.

Saving the titles of all but the person emancipating.

[Ch. LXII in original.]

Continued by May 1792 ch. 4.

CHAP. XXII.

An act to ascertain the number of people within this commonwealth.

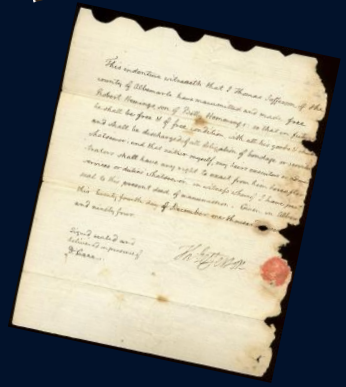
Preamble.

I. WHEREAS congress have recommended it to the several states to ascertain the number of people therein:

Census of people of commonwealth, how taken.

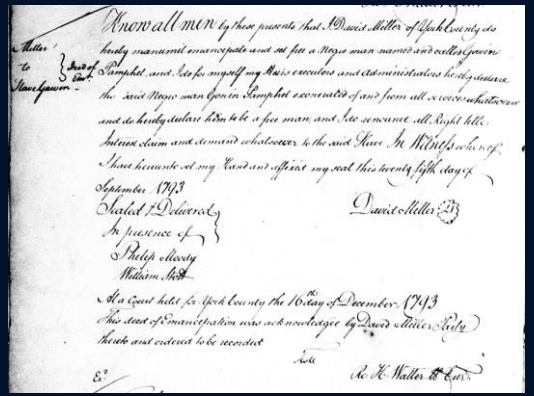
II. *Be it therefore enacted,* That the court of each county within this commonwealth shall divide the same into convenient precincts, and on or before the first day of October next appoint one of the justices for each precinct to take a list of the number of people, both white and black, therein: Every justice so appointed shall give public notice at what place or places he intends to receive the lists, by advertising the same at the most public places within his precinct, and shall, on or before the twentieth of October next following,

Registration of Free Negroes Commencing September Court 1822.


This indenture, witnesseth, that I Thomas Jefferson of the county of Albemarle in the commonwealth of Virginia, have manumitted and set free, and by these presents do manumit and set free, Robert Hemings, son of Betty Hemings; & that said Robert shall be free & forever discharged from all manner of claim, service or demand whatsoever, which I the said Thomas Jefferson, my heirs, executors or administrators shall have, may might or ought to claim from or to the said Robert, or to the person, time, labour or service of him the said Robert, from & after the twenty first year of his age, which will be on the first day of January in the year of our Lord one thousand eight hundred & twenty seven. In witness whereof I have hereunto set my hand & affixed my seal this fourth day of November in the year of our Lord one thousand eight hundred & two, & in the twenty seventh year of the commonwealth.

Signed, sealed & delivered in presence of

Th: Jefferson


Know all men by these presents that I David Miller of York County do hereby manumit emancipate and set free a Negro man named and called Jeremiah Pamphlet and I do for myself my Heirs executors and administrators hereby release the said Negro man Jeremiah Pamphlet executors of and from all & every authority and do hereby declare him to be a free man and I do renounce all Right title Interest claim and demand whatsoever to the said Slave Jeremiah Pamphlet In Witness whereof I have hereunto set my Hand and affixed my seal this twenty fifth day of September 1793

Sealed & Delivered in presence of
Philip Moody
William Hill

David Miller [Seal]

At a Court held for York County the 10th day of December 1793
This deed of Emancipation was acknowledged by David Miller Party thereto and ordered to be recorded

Teste
R. H. Waller D. Clerk

LIBERTY UNIVERSITY