

Record Group: Sussex County
Subgroup: Clerk's Office
Series: Manumissions of Slaves, 1814-1823
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Legislative History

The earliest reference to manumission of slaves in the colonial laws of New Jersey was in "An Act for Regulating of Slaves," passed 11 March 1713/14 (NJA, Third Series, Vol. II, pp. 136-140). This legislation explicitly discouraged the freeing of slaves and required that the manumitting slaveowner enter into a £200 security with the crown and guarantee £20 annual support for the freed man for life. Further, the law made void the manumission of any slave freed by an owner's last will and testament if the executor of the estate refused to post the £200 bond. In 1769, this was reiterated in "An Act for laying a Duty on the Purchasers of Slaves imported into this Colony," which again required that at the time of manumission the slaveowner post a £200 bond with the crown to cover any legal charges that might be brought against the freed slave, or to fund the slave's public support if necessary (NJA, Third Series, Vol. IV, pp. 510-512). Failure to file the bond resulted in the manumission becoming legally void.

It was not until after the Revolutionary War that New Jersey passed legislation providing for regular manumission of slaves. This was in "An Act to prevent the Importation of Slaves into the State of New Jersey, and to authorize the Manumission of them under certain Restrictions, and to prevent the Abuse of Slaves," passed 2 March 1786 (P.L. 1786, chap. 119, p. 239). The law--considered a great victory for the abolitionist movement--allowed for the freeing of any slave between the ages of twenty-one and thirty-five with the stipulation that he or she be brought before two overseers of the poor for the township of the slaveowner's residence and two justices of the peace of that county, and be determined by them to be of sound mind and capable of obtaining his or her own support. The law also prescribed the form of manumission certificate (to be recorded by the county clerk).

Legislation in 1798 repealing the 1786 law raised the upper age for legal manumission to forty years, and also required the signatures of two witnesses on the manumission deed (P.L. 1798, chap. 727, p. 364). Six years later, in 1804, the State Legislature passed "An act for the Gradual Abolition of Slavery" (P.L. 1804, chap. 103, p. 251). This monumental law required the registration of births of slaves' children born after 4 July 1804 and declared such children to be "free," but bound as servants to the owners of their mothers for a period of twenty-five years for males and twenty-one years for females. No provision was made for slaves born before 4 July 1804.

"An act for the gradual abolition of Slavery, and other purposes respecting Slaves," passed by the Legislature on 24 February 1820, repealed the earlier slavery laws but essentially continued the procedure for manumission then in effect (P.L. 1820, p. 74). It is of interest to note that, in 1824, the Legislature passed a resolution in favor of establishing a foreign colony to allow for the "entire emancipation of the slaves in our country" (P.L. 1824, p. 191).

Slavery was at least nominally ended in New Jersey on 18 April 1846 by an "An Act to Abolish Slavery" (*Revision of 1846*, Title XI, chap. 6, p. 382-390). Under this legislation, the status of a slave was converted to that of apprentice, "... bound to service to his or her present owner, and his or her executors or administrators ..." until formally released. Children born to such apprentices

could be bound out as servants also, once they reached the age of six. So, while an apprentice could not be sold, exported or taken out of state, he or she remained in the service of his or her master until discharged in writing, and could still be easily separated from family.

Individuals continued to be categorized as slaves on the 1850 and 1860 New Jersey federal censuses. The forced “apprenticeship” of former slaves was not outlawed until the 13th Amendment to the United States Constitution, adopted 6 December 1865 after ratification by the sufficient number of states. New Jersey had rejected the amendment on 16 March 1865, later ratifying it on 23 January 1866.

Content Notes

This series includes five original manumission-related documents found interfiled with the original Sussex County marriage returns (1795-1878), and one manumission purchased by the State Archives in 2011. No effort has been made to compare these items with related records in the Sussex County Clerk's Office. It is obvious, however, that this series includes only a small number of the manumissions granted in Sussex during the late-eighteenth and early-nineteenth centuries. The items are listed below alphabetically by the name of the slaveowner.

Contents

1. Blare, Rachel, administratrix of James Blare: John Chamberlain (aged about 27), Oxford Twp., 25 October 1817.
2. Courson, Isaac V.: Michael (aged 24), Hardwick Twp., 9 May 1820 (“recorded in Book B of manumissions, Folio 2”) [Accession 2011.004].
3. Everitt, Elijah: Prince Annis, Hardwick Twp., 1 January 1818.
4. Gaston, Margaret: Ann (aged about 22), Hardwick Twp., 30 January 1821.
5. Hayne, Frederick: Deboroah [sic], Wantage Twp., 16 April 1814.
6. Westbrook, John B.: Charles Smith, Sandyston, 9 December 1823 [letter requesting copy of manumission].