

**ANTEBELLUM EMANCIPATION
IN ROANE COUNTY, TENNESSEE**

*Transcribed and Submitted By
Joseph F. Brittain
17952 Avenida Alozdra
San Diego, CA 92128*

NOTE: Transcribed from Roane County Court Clerk's Minute Book Q, May 1849 - April 1856, p. 328-30, Tennessee State Library and Archives Microfilm Roll 96.

Monday, April 4th 1853

This day came Harry, Kizziah and other persons of Colour by their Attorney, John Y. Smith and filed their Petition which is in the words and figures as follows towit:

State of Tennessee

Roane County

April Sessions 1853

To the worshipful County Court of Roane County now in Session

Your petitioners Harry, Kizziah & others formerly the Slaves of Solomon Geren ¹ decd Would respectfully show to your Worships - that their late Master the said Solomon Geren previous to his death and about the 30th December 1840 made and published his last will and testament which has been duly proved and Recorded in Roane County by which among other things he provided for the emancipation of your petitioners which will more fully appear by reference to the Original will of said Solomon and which will be produced if required by the Court. Your petitioners would further represent to your Worships that shortly after the death of their former master the said Solomon, proceedings were instituted in the Circuit Court of Roane County to contest the validity of said will & enslave your petitioners but the will was sustained by the verdict & judgment of said Circuit Court - Since which time an attempt has been made in the Chancery Court at Kingston in the County and State aforesaid to hold your petitioners subject & liable to the payment of large amounts of money which it was alledged [sic] were owing from the estate of the said Solomon and for which your petitioners should be made subject but the larger portion of those debts were held invalid by the Supreme Court of Tennessee at Knoxville and adjudged that your petitioners were specific legatees of their freedom under said will subject nevertheless to a payment of their proportionable part of said debt that was held to be valid, which your petitioners state has been paid by them Your petitioners would further state to the Court that the litigation against them in both the Supreme and Chancery Courts aforesaid have terminated and by an Order of the Chancery Court at Kingston made at the September term of said Court 1852 they were sent to the County Court of Roane County that being the proper tribunal to give the consent of the State of Tennessee to the emancipation of your petitioners under the will of their former Master the said Solomon Geren decd Your petitioners would further state to your Worships that they number at present big and little to twenty seven and bear the following names to wit Harry, Kiziah, William, Jack, James, Frank, Julia, Malinda, Louisa, Mary, Margaret, Minerva, Rachael, Ann, Sarah, Henrietta, Darthula, Spencer, Will, Laurinda, Henery, Solomon, James, Thomas, Louisa, Malinda, & Margaret of which number some nine of the petitioners have

¹ The will of Solomon Geren was admitted to probate during the November Term 1842 (Roane Co. Wills & Estates Settlements, pp. 14-17, Volume D, Aug. 1842 - Dec. 1846, TSLA Microfilm Roll 143).

ANTEBELLUM EMANCIPATION

been born since the death of said Testator The premises Considered your petitioners pray your Worships to grant unto them the Consent of the State to their emancipation under the late will of their former Master Solomon Geren decd - under the provisions of the Act of Assembly in such case made and provided And as in duty bound they will ever pray &c

Harry, Kiziah & others by their Solr Smith & Clark

And the Court being satisfied from an inspection of the last will and Testament of Solomon Geren deceased now of record in this Court that the petitioners were entitled to their emancipation orders and adjudges upon bond and Security being given for Conditioned that said Petitioners do leave the State of Tennessee that their prayer be granted them, whereupon a bond was executed in the words and figures following to wit:

Know all men by these presents that we John Y Smith William S McEwen Thomas N Clark John C Gillespie and James R Robinson all of the County of Roane and State of Tennessee, are held and firmly bound unto the State of Tennessee, for the use of the said State, in the sum of Ten thousand dollars, To be void on Condition if Harry, Kiziah, William, Jack, James, Frank, Julia, Malinda, Louisa, Mary, Margeret, Minerva, Rachel, Ann, Sarah, Henrietta, Darthula, Spencer, Will, Lucinda, Henry, Solomon, James, Thomas, Louisa, Malinda & Margaret persons of Color formerly the property of Solomon Geren decd who has this day been by the County Court of Roane County emancipated and Set free in accordance with the last will and testament of Solomon Geren decd their late Master does within a reasonable time leave the State of Tennessee, and demean themselves of good behaviour [sic] towards all good Citizens of the State, while they remain here preparatory to removing, otherwise to remain in full force. In testimony whereof we hereto set our hands and seals this 4th day of April 1853.

Acknowledged in open Court

4th April 1853
Wm B Clark
Chairman

J Y Smith (seal)
W S McEwen (seal)
Tho N Clark (seal)
John C Gillespie (seal)
J R Robinson (seal)

And there being Thirteen Justices on the bench and all concerning therein It is therefore considered and Ordered by the Court that Harry, Kiziah, William, Jack, James, Frank, Julia, Malinda, Louisa, Mary, Margaret, Minerva, Rachel, Ann, Sarah, Henrietta, Darthula, Spencer, Will, Lucinda, Henry, Solomon, James, Thomas, Louisa, Malinda, & Margaret the persons of Color formerly the slaves of Solomon Geren decd as mentioned in the foregoing Petition be and they are hereby emancipated and set free and entitled to all the priveleges of free persons of Color according to the laws of the State of Tennessee in such cases made & provided and it is further ordered by the Court that they be turned over to the agent of the American Colonization Society to be sent to the Colony of Liberia on the Coast of Africa immediately or as soon as practicable.

William S Patton late Trustee appointed by the Court for Harry Kiziah & others persons of Color late slaves of Solomon Geren decd made his report showing the amount for which he had hired said Negroes for the last six months amounting to the sum of two hundred and twenty Eight dollars and seventy five cents which report was received and approved by the Court, there being no objections to the same, And it is Ordered that he be continued as Commissioner so far as to proceed and collect said sum for which said negroes hired for. And when collected after retaining the sum of five per cent upon the aggregate amount as compensation hereby allowed him for his trouble in this behalf he pay the costs of this proceeding in the County Court. And the balance pay over to the agent of the American Colonization Society for the benefit of said negroes when he takes charge of them. ❖