

## Virginia Race Laws

(excerpted from <http://www.virtualjamestown.org/laws1.html>)

### 1630-1650

#### September 17th, 1630.

Hugh Davis to be soundly whipped, before an assembly of Negroes and others for abusing himself to the dishonor of God and shame of Christians, by defiling his body in lying with a negro; which fault he is to acknowledge next Sabbath day.

Source: Hening, ed., The Statutes at Large, vol. 1, p. 146.

#### January 1639/40-ACT X.

ALL persons except negroes to be provided with arms and ammunition or be fined at pleasure of the Governor and Council.

Source: Hening, ed., The Statutes at Large, vol. 1, p. 226.

### 1660s

#### March 1660/1-ACT XXII. English running away with negroes.

BEE itt enacted That in case any English servant shall run away in company with any negroes who are incapable of making satisfaction by addition of time, Bee it enacted that the English so running away in company with them shall serve for the time of the said negroes absence as they are to do for their owne by a former act.

Source: Hening, ed., The Statutes at Large, vol. 2, p. 26.

#### March 1661/2

METAPPIN a Powhatan Indian being sold for life time to one Elizabeth Short by the king of Wainoake Indians who had no power to sell him being of another nation, it is ordered that the said Indian be free, he speaking perfectly the English tongue and desiring baptism.

Source: Hening, ed., The Statutes at Large, vol. 2, p. 155.

#### December 1662-ACT XII. Negro womens children to serve according to the condition of the mother.

WHEREAS some doubts have arrisen whether children got by any Englishman upon a negro woman should be slave or ffree, Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shalbe held bond or free only according to the

condition of the mother, And that if any christian shall committ ffornication with a negro man or woman, hee or shee soe offending shall pay double the ffines imposed by the former act.

Source: Hening, ed., The Statutes at Large, vol. 2, p. 170.

**September 1667**-ACT III. An act declaring that baptisme of slaves doth not exempt them from bondage.

WHEREAS some doubts have risen whether children that are slaves by birth, and by the charity and piety of their owners made pertakers of the blessed sacrament of baptisme, should by vertue of their baptisme be made ffree; It is enacted and declared by this grand assembly, and the authority thereof, that the conferring of baptisme doth not alter the condition of the person as to his bondage or ffredome; that diverse masters, ffreed from this doubt, may more carefully endeavour the propagation of christianity by permitting children, though slaves, or those of greater growth if capable to be admitted to that sacrament.

Source: Hening, ed., The Statutes at Large, vol. 2, p. 260.

**October 1669**-ACT I. An act about the casuall killing of slaves.

WHEREAS the only law in force for the punishment of refractory servants resisting their master, mistris or overseer cannot be inflicted upon negroes, nor the obstinacy of many of them by other then violent meanes suppress, Be it enacted and declared by this grand assembly, if any slave resist his master (or other by his masters order correcting him) and by the extremity of the correction should chance to die, that his death shall not be accompted ffelony, but the master (or that other person appointed by the master to punish him) be acquit from molestation, since it cannot be presumed that prepensed malice (which alone makes murther ffelony) should induce any man to destroy his owne estate.

Source: Hening, ed., The Statutes at Large, vol. 2, p. 270.

## 1670-1690

**October 1670**-ACT IV. Noe Negroes nor Indians to buy christian servants.

WHEREAS it hath beene questioned whither Indians or negroes manumited, or otherwise free, could be capable of purchasing christian servants, It is enacted that noe negroe or Indian though baptised and enjoyed their owne ffredome shall be capable of any such purchase of christians, but yet not debarred from buying any of their owne nation.

Source: Hening, ed., The Statutes at Large, vol. 2, pp. 280-281.

June 1680-ACT X. An act for preventing Negroes Insurrections.

WHEREAS the frequent meeting of considerable numbers of negroe slaves under pretence of feasts and burialls is judged of dangerous consequence; for prevention whereof for the future, Bee it enacted by the kings most excellent majestie by and with the consent of the generall assembly, and it is hereby enacted by the authority aforesaid, that from and after the publication of this law, it shall not be lawfull for any negroe or other slave to carry or arme himselfe with any club, staffe, gunn, sword or any other weapon of defence or offence, nor to goe or depart from of his masters ground without a certificate from his master, mistris or overseer and such permission not to be granted but upon perticuler and necessary occasions; and every negroe or slave soe offending not haveing a certificate as aforesaid shalbe sent to the next constable, who is hereby enjoyned and required to give the said negroe twenty lashes on his bare back well layd on, and soe sent home to his said master, mistris or overseer. And it is further enacted by the authority aforesaid that if any negroe or other slave shall presume to lift up his hand in opposition against any christian, shall for every such offence, upon due prooffe made thereof by the oath of the party before a magistrate, have and receive thirty lashes on his bare back well laid on. And it is hereby further enacted by the authority aforesaid that if any negroe or other slave shall absent himself from his masters service and lye hid and lurking in obscure places, comitting injuries to the inhabitants, and shall resist any person or persons that shalby any lawfull authority by employed to apprehend and take the said negroe, that then in case of such resistance, it shalbe lawfull for such person or persons to kill the said negroe or slave soe lying out and resisting, and that this law be once every six months published at the respective county courts and parish churches within this colony.

Source: Hening, ed., The Statutes at Large, vol. 2, pp. 481-482.

**April 1691**-ACT XVI. An act for suppressing outlying slaves.

WHEREAS many times negroes, mulattoes, and other slaves unlawfully absent themselves from their masters and mistresses service, and lie hid and lurk in obscure places killing hoggs and committing other injuries to the inhabitants of this dominion, for remedy whereof for the future, Be it enacted by their majesties lieutenant governour, councill and burgesses of this present general assembly, and the authoritie thereof, and it is hereby enacted, that in all such cases upon intelligence of any such negroes, mulattoes, or other slaves lying out, two of their majesties justices of the peace of that county, whereof one to be of the quorum, where such negroes, mulattoes or other slave shall be, shall be impowered and commanded, and are hereby impowered and commanded to issue out their warrants directed to the sherriffe of the same county to apprehend such negroes, mulattoes, and other slaves, which said sherriffe is hereby likewise required upon all such occasions to raise such and soe many forces from time to time as he shall think convenient and necessary for the effectual apprehending such negroes, mulattoes and other slaves, and in case any negroes, mulattoes or other slaves or slaves lying out as aforesaid shall resist, runaway, or refuse to deliver and surrender him or themselves to any person or persons that shall be by lawfull authority employed to apprehend and take such negroes, mulattoes or other slaves that in such cases it shall and may be lawfull for such person

and persons to kill and distroy such negroes, mulattoes, and other slave or slaves by gunn or any otherwise whatsoever.

Provided that where any negroe or mulattoe slave or slaves shall be killed in pursuance of this act, the owner or owners of such negro or mulatto slave shall be paid for such negro or mulatto slave four thousand pounds of tobacco by the publique. And for prevention of that abominable mixture and spurious issue which hereafter may encrease in this dominion, as well by negroes, mulattoes, and Indians intermarrying with English, or other white women, as by their unlawfull accompanying with one another, Be it enacted by the authoritie aforesaid, and it is hereby enacted, that for the time to come, whatsoever English or other white man or woman being free shall intermarry with a negroe, mulatto, or Indian man or woman bond or free shall within three months after such marriage be banished and removed from this dominion forever, and that the justices of each respective countie within this dominion make it their perticular care that this act be put in effectuall execution. And be it further enacted by the authoritie aforesaid, and it is hereby enacted, That if any English woman being free shall have a bastard child by any negro or mulatto, she pay the sume of fifteen pounds sterling, within one moneth after such bastard child be born, to the Church wardens of the parish where she shall be delivered of such child, and in default of such payment she shall be taken into the possession of the said Church wardens and disposed of for five yeares, and the said fine of fifteen pounds, or whatever the woman shall be disposed of for, shall be paid, one third part to their majesties for and towards the support of the government and the contingent charges thereof, and one other third part to the use of the parish where the offence is committed, and the other third part to the informer, and that such bastard child be bound out as a servant by the said Church wardens untill he or she shall attaine the age of thirty yeares, and in case such English woman that shall have such bastard child be a servant, she shall be sold by the said church wardens, (after her time is expired that she ought by law to serve her master) for five yeares, and the money she shall be sold for divided as is before appointed, and the child to serve as aforesaid.

And forasmuch as great inconveniences may happen to this country by the setting of negroes and mulattoes free, by their either entertaining negro slaves from their masters service, or receiveing stolen goods, or being grown old bringing a charge upon the country; for prevention thereof, Be it enacted by the authority aforesaid, and it is hereby enacted, That no negro or mulatto be after the end of this present session of assembly set free by any person or persons whatsoever, unless such person or persons, their heires, executors or administrators pay for the transportation of such negro or negroes out of the countrey within six moneths after such setting them free, upon penalty of paying of tenn pounds sterling to the Church wardens of the parish where such person shall dwell with, which money, or so much thereof as shall be necessary, the said Church wardens are to cause the said negro or mulatto to be transported out of the country, and the remainder of the said money to imploy to the use of the poor of the parish.

**Source: Hening, ed., The Statutes at Large, vol. 3, pp. 86-88.**