

Virginia Slave Codes

Excerpts taken from William W. Henning, *The Statutes at Large; Being a Collection of all the Laws of Virginia*, v.2 (1823). Some of the language has been modernized.

Document A: March 1661/62. Act CII: Run-aways.

Whereas there are diverse loitering runaways in this country who very often absent themselves from their masters service and sometimes in a long time cannot be found, that loss of the time and the charge in the seeking them often exceeding the value of their labor: Bee it therefore enacted that all runaways that shall absent themselves from their said masters service, shall be liable to make satisfaction by service after the times by custom or indenture is expired double their times of service so neglected, and if the time of their running away was in the crop or the charge of recovering them extraordinary the court shall limit a longer time of service proportional to the damage the master shall make appear he hath sustained...; and in case any English servant shall run away in company of any negroes who are incapable of making satisfaction by addition of a time, it is enacted that the English so running away in the company with them shall at the time of service to their own masters expired, serve the masters of the said negroes for their absence so long as they should have done by this act if they had not been slaves, every Christian in company serving his proportion; and if the negroes be lost or dye in such time of their being run away, the Christian servants in company with them shall by proportion among them, either pay four thousand five hundred pounds of tobacco of tobacco and cask or four years service for every negroe so lost or dead.

Document B: December, 1662. Act VI: Women servants got with child by their masters after their time expired to be sold by the Churchwardens for two years for the good of the parish.

Whereas by act of Assembly every woman servant having a bastard is to serve two years, and late experience show that some dissolute masters have gotten their maids with child, and yet claim the benefit of their service, and on the contrary if a woman got with child by her master should be freed from that service it might probably induce such loose persons to lay all their bastards to their masters; it is therefore thought fit and accordingly enacted and be it enacted henceforward that each woman servant got with child by her master shall after her time by indenture or custom is expired be by the churchwardens of the parish where she lived when she was brought to bed of such a bastard, sold for two years, and the tobacco to be employed by the vestry for the use of the parish.

Document C: December, 1662. Act XII: Negro women's children to serve according to the condition of the mother.

Whereas some doubts have arisen whether children got by any Englishman upon a negro woman should be slave or free, Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shall be held bond or free only according to the condition of the mother, And that if any Christian shall commit fornication with a negro man or woman, he or she so offending shall pay double the fines imposed by the former act.

Document D: September, 1667. Act III: An act declaring that baptism 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 partakers of the blessed sacrament of baptism, should by virtue of their baptism be made free; It is enacted and declared by this grand assembly, and the authority thereof, that the conferring of baptism doth not alter the condition of the person as to his bondage or freedom; that diverse masters, freed 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 the sacrament.

Document E: October, 1669. Act I: An act about the casual killing of slaves.

Whereas the only law in force for the punishment of refractory servants resisting their master, mistress or overseer cannot be inflicted upon negroes, nor the obstinacy of many of them by other than violent means suppressed, Be it enacted and declared by this grand assembly, if any slave resist his master (or others by his masters order correcting him) and by the extremity of the correction should chance to die, that his death shall not be considered a felony, but the master (or that other person appointed by the master to punish him) be acquit from molestation, since it cannot be presumed that malice existed (which alone makes murder a felony) [or that anything] should induce any man to destroy his own estate.

Document F: 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 burials is judged of dangerous consequence; for prevention whereof for the future, Bee it enacted by the kings most excellent majesty and with the consent of the general assembly ... that from and after the publication of this law, it shall not be lawful for any negroe or other slave to carry or arm himself with any club, staff, gun, sword or any other weapon of defense or offence, nor to go or depart from of his masters ground without a certificate from his master, mistress, or overseer, and such permission not to be granted but upon particular and necessary occasions; and every negroe or slave so offending not having a certificate as aforesaid shall be sent to the next constable, who is hereby enjoined and required to give the said negroe twenty lashes on his bare back well laid on, and so sent home to his said master, mistress 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 proof 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, committing injuries to the inhabitants, and shall resist any person or persons that shall by any lawful authority be employed to apprehend and take the said negroe, that then in case of such resistance, it shall be lawful for such person or persons to kill the said negroe or slave so 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.

[By 1682 the law "hath not had its intended effect for want of due notice thereof being taken," so it was ordered read aloud in church twice a year, and masters were fined 200 lbs tobacco if another master's slaves stayed on their plantation more than 4 hours without owner's permission.]

Document G: 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, council, and burgesses of this present general assembly, and the authority 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 country...shall be empowered and commanded [to issue warrants to the sheriffs to summon as many men as he needs to arrest the runaways] and in case any negroes, mulattoes or other slave or slaves lying out as aforesaid shall resist, runaway, or refuse to deliver and surrender him or themselves ... in such cases it shall and may be lawful ... to kill and destroy such negroes, mulattoes, and other slave or slaves by gun or any other ways whatsoever. Provided that where any negroe or mulattoe slave 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 public.

And for the prevention of that abominable mixture and spurious issue which hereafter may increase in this dominion, as well as by negroes, mulattoes, and Indians intermarrying with English, or other white women, as by their unlawful accompanying with one another, Be it enacted by the authority 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 forasmuch as great inconveniences may happen to this country by the setting of negroes and mulattoes free, by their either entertaining negroe slaves from their masters service, or receiving stolen goods, or being grown old bring a charge upon the country; for prevention thereof, Be it enacted by the authority aforesaid, and it is hereby enacted, That no negro or mulattoe be after the end of this present session of assembly set free by any person or persons whatsoever, unless such person or persons, their heirs, executors or administrators pay for the transportation of such negro or negroes out of the country within six months after such setting them free, upon penalty of paying ten 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 employ to the use of the poor of the parish.

Document H: October, 1705. Chap. XLIX: An act concerning servants and slaves.

...And also be it enacted ... That all servants imported and brought into this country, by sea or land, who were not Christians in their native country, (except Turks and Moors in amity with her majesty, and others that can make due proof of their being free in England, or any other Christian country, before they were shipped, in order to transportation hither) shall be accounted and be slaves, and as such be here bought and sold notwithstanding a conversion to Christianity afterwards.

...And also be it enacted ... That all masters and owners of servants, shall find and provide for their servants, wholesome and competent diet, clothing, and lodging, by the discretion of the county court; and shall not, at any time, give immoderate correction; neither shall, at any time, whip a Christian white servant naked, without an order from a justice of the peace: And if any, notwithstanding this act, shall presume to whip a Christian white servant naked, without such order, the person so offending, shall forfeit and pay for the same, forty shillings sterling, to the party injured..

And for a further Christian care and usage of all Christian servants, Be it also enacted ... That no negroes, mullatos, or Indians, although Christians, or Jews, Moors, Mahometans, or other infidels, shall, at any time, purchase any Christian servant, nor any other, except of their own complexion, or such as are declared slaves by this act: And if any negro, mulatto, or Indian, Jew, Moor, Mahometan, or other infidel, or such as are declared slaves by this act, shall, notwithstanding, purchase any Christian white servant, the said servant shall, ipso facto, become free and acquit from any service then due, and shall be so held, deemed, and taken.

And for a further prevention of that abominable mixture and spurious issue, which hereafter may increase in this her majesty's colony and dominion, as well as by English, and other white men and women intermarrying with negroes and mulattos, as by their unlawful coition with them, Be it enacted ... That whatsoever English, or other white man or woman, being free, shall intermarry with a negro or mulatto man or woman, bond or free, shall, by judgment of the county court, be committed to prison, and there remain, without bail; and shall forfeit and pay ten pounds current money of Virginia, to the use of the parish, as aforesaid.

And be it further enacted, That no minister of the church of England, or other minister, or person whatsoever, within this colony and dominion, shall hereafter wittingly presume to marry a white man with a negro or mulatto woman; or to marry a white woman with a negro or mulatto man, upon pain of forfeiting and paying, for every such marriage the sum of ten thousand pounds of tobacco.