

Virginia Slave Laws (1660–1682)

VIRGINIA GENERAL ASSEMBLY

England had no laws for the regulation of the institution of slavery. So as slavery was introduced into the various North American colonies, it was up to local institutions to determine the parameters of this peculiar new (to the English) human relation. Oddly, the colonies were all rather slow in getting around to legislating on slavery. Virginia was among the first colonies to pass a series of laws establishing the rough parameters of legal obligations starting in 1660.

Questions to Consider

- Why did it take Virginia half a century to pass such laws?
- What was the legal distinction between indentured servants and slaves?
- What particular problems did the Virginia Assembly encounter in determining who was a slave?

March, 1660

ACT XXII.

English running away with negroes.

BEE it 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.

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 free, Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shalbe heid bond or free only according to the condition of the mother, And that if any christian shall committ fornication with a negro man or woman, hee or shee soe offending shall pay double the fines imposed by the former act.

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 free; 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 freedome; that diverse masters, freed from this doubt, may more carefully endeavour the propagation of christianity by permitting children,

Source: William Waller Hening, ed., *The Statutes at Large; Being A Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619* (New York, 1823), 2: pp. 26, 170, 260, 267, 270, 280–281, 283, 481–482, 490–492.

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though slaves, or those of greater growth if capable to be admitted to that sacrament.

September, 1668

ACT VII.

Negro women not exempted from tax.

WHEREAS some doubts have risen whether negro women set free were still to be accompted thithable according to a former act, It is enacted and declared by this grand assembly that negro women, though permitted to enjoy their freedome yet ought not in all respects to be admitted to a full fruition of the exemptions and impunities of the English, and are still lyable to payment of taxes.

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, 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 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 prepered malice (which alone makes murther felony) should induce any man to destroy his owne estate.

October, 1670

ACT V.

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 enjoyned their owne freedome shall be capable of any such purchase of christians, but yet not debarred from buying any of their owne nation.

October, 1670

ACT XII.

What tyme Indians to serve.

WHEREAS some dispute have arisen whither Indians taken in warr by any other nation, and by that nation that taketh them sold to the English, are servants for life or terme of yeares, It is resolved and enacted that all servants not being christians imported into this colony by shipping shalbe slaves for their lives; but what shall come by land shall serve, if boyes or girles, untill thirty yeares of age, if men or women twelve yeares and no longer.

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...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 by upon perticuler and necessary occasion; 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...have and receive thirty lashes on his bare back well laid on. And it is 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 be 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....

November, 1682

ACT I.

An act to repeale a former law making Indians and others free.

WHEREAS by the 12 act of assembly held att James Citty the 3d day of October, Anno Domini 1670, entitled an act declareing who shall be slaves, It is enacted that all servants not being christians, being imported into this country by shipping shall be slaves, but what shall come by land shall serve if boyes and girls untill thirty yeares of age, if men or women, twelve yeares and noe longer; and for as much as many negroes, moores, mollatoes and others borne of and in heathenish, idollatrous, pagan and mahometan parentage and country...may be purchased...by some well disposed christian, who after such their obteneing and purchasing such negroe, znoor or molatto as their slave out of a pious zeaie, have wrought the conversion of such slave to the christian faith, which by the laws of this country doth not ananumitt them or make the free,...the said master or owner of such servant which notwithstanding his conversion is really his slave,...must be con-

strained either to carry back or export againe the said slave to some other place where they may sell him for a slave, or else depart from their just right and tittle to such slave and sell him here for noe longer time then the English or other christians are to serve, to the great losse and damage of such master or owner, and to the great discouragement of bringing in such slaves for the future, and to noe advantage at all to the planter or buyer....

Bee it therefore enacted by the governour councell and burgesses of this generall assembly, that all the said recited act of the third of October 1670 be, and is hereby repealed and made utterly voyd to all intents and pur-

poses whatsoever. And be it further enacted by the authority aforesaid, that all servants...brought or imported into this country, either by sea or land, whether Negroes, Moors, Mollattoes or Indians, who and whose parentage and native country are not christian at the time of their first purchase of such servant by some christian, although afterwards, and before such their importation and bringing into this country, they shall be converted to the christian faith;...shall be adjudged, deemed and taken to be slaves to all intents and purposes, any law, usage or custome to the contrary notwithstanding.

