

# **The Law of Slavery**

William Waller Hening, ed., The Statutes at Large; Being a Collection of all the Laws of Virginia..., 13 vols. (Richmond, Philadelphia, and New York, 1809-23).

December 1662 “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 shalbe held 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 so offending shall pay double the fine imposed by the former act.” Hening II, 170.

September 1667 “Whereas some doubts have arisen 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, though slaves, or those of greater growth if capable to be admitted to that sacrament.” Hening II, 260.

October 1669 “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 than 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 prepensed malice (which alone makes murther felony) should induce any man to destroy his owne estate” Hening II, 270.

September 1672 “FORASMUCH as it hath beene manifested to this grand assembly that many negroes have lately beene, and now are out in rebellion in sundry parts of this country, and that noe meanes have yet beene found for the apprehension and suppression of them from whome many mischeifes of very dangerous consequence may arise to the country if either other negroes, Indians or servants should happen to fly forth and joyne with them; for the prevention of which, *Be it enacted by the governour, councill and burgesses of this grand assembly, and by the authority thereof*, that if any negroe, molatto, Indian slave, or servant for life, runaway and shalbe persued by warrant or hue and crye, it shall and may be lawfull for any person who shall endeavour to take them, upon the resistance of such negroe, mollatto, Indian slave, or servant for life, to kill or wound him or them soe resisting; *Provided alwayes*, and it is the true intent and meaning hereof, that such negroe, molatto, Indian slave, or servant for life, be named and described in the hue and crye which is alsoe to be signed by the master or owner of the said runaway. And if it happen that such negroe, molatto, Indian slave, or servant for life doe dye of any wound in such their resistance received the master or owner of such shall receive satisfaction from the publique for his negroe, molatto, Indian slave, or servant for life, soe killed or dyeing of such wounds.” Hening II, 299-300.