

IF any Minister shall refuse marrying for the Fees herein, or shall exact greater Fees, he shall forfeit 4000 *l.* of Tobacco if by Licentiate, and 500 *l.* if by Banes.

HALF of all Fines herein not before appropriated to be to the *Queen*, and Half to the Informer with Costs, by Action of Debt, Bill, &c.

MINISTER or Reader refusing to publish and certify the Banes for the Fees, or exacting greater Fees for the same, shall forfeit 1000 *l.* of Tobacco to the Party grieved with Costs.

Proviso, THE Minister of the Parish shall have the Benefit of the Marriages and Funeral Sermons in his Parish, if he do not neglect or refuse to do the Service thereof, altho' another Minister be employed.

An Act concerning Servants and Slaves.

ALL Christian Servants of Christian Parentage nineteen Years of Age, brought into this Country without Indenture, to serve five Years; but if under nineteen, then until they shall be twenty four Years of Age.

Proviso, IF such Servant be not carried to the County-Court to be adjudged of his Age within six Months after his Arrival, he shall then serve but the five Years, and the Age thus made by the Court, shall be taken for the Age of the Servant, and his Service be accordingly.

WHEN any Servant sold for the Custom shall pretend to have Indentures, the Owner shall bring him before a Justice, and if the Servant cannot produce the Indenture, but shall pretend to have one, the Justice shall assign two Months for the producing thereof, and if the Servant fail then, it shall be taken for granted there never was one, and shall barr the Claim of one afterwards.

ALL Persons brought into this Country by Sea or Land, not being Christians in their native Country (Except *Turks* and *Moors* in Amity with her Majesty, and all *Negro's* 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 their Transportation hither,) shall be Slaves, notwithstanding a Conversion to Christianity afterwards.

IF any Person shall import, or sell as Slaves any Person that shall have been a Freeman in any Christian Country, Island, or Plantation, such Importer or Seller shall forfeit to
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the Party from whom such a Freeman shall recover his Freedom, double the Sum for which the said Freeman was sold, to be recover'd according to the Course of Common Law, and no Act or Statute of Limitation to barr the Action.

Proviso, A SLAVE's being in *England* shall not be sufficient to discharge him of Slavery, without Proof of being manumitted there.

OWNERS of Servants shall provide them, by the Discretion of the County-Court, shall not give immoderate Correction, nor whip a Christian white Servant naked without Order from a Justice; and if any shall so whip a white Servant without such Order, he shall forfeit to the Party injured forty Shillings Sterling with Costs, without the formal Process of an Action, as is provided for Servant's Complaints.

Proviso, COMPLAINTS be made within six Months.

ALL Sorts of Servants but Slaves, shall have their Complaints before a Justice, who if he find Cause shall bind the Master over to Court, and it shall be there determined; and all Complaints of Servants may be received at any Time by Petition in the Court of the County wherein they reside without Action, and that Court having summoned the Master, shall adjudge concerning Diet, Lodging, Cloathing and Correction; and if any Master shall not comply with their Order, they are impowered upon a second Complaint to cause such Servant to be sold by Out-cry by the Sheriff, and after Charges deducted, return the Remainder of the Produce to the Owner.

Proviso, IF such Servant by reason of Sicknefs, Lameness, or otherwise, cannot be sold for enough to pay the Charges, the Court shall order the Church Wardens of the Parish to provide for the Servant until the Time of Freedom, or until such a Recovery of Health, as to be sold for the Charges, and shall levy the Charges thereof by Distress, upon the Goods of the Master or Owner.

ALL Servants by Importation, Indenture, or Hire, as well *Feme covert*, as others, shall have their Petition in Court in the same Manner for their Wages or Freedom without Action.

No *Negro*, *Mulatto*, or *Indian*, altho' *Christian*, nor *Moors*, *Jews*, *Mahometans*, or other *Infidels*, shall Purchase a Christian white Servant, nor any other, except of
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their own Complexion for Slaves, and if any shall be so Purchas'd, *Ipsa Facto*, they become free.

IF any Person having such Christian white Servant shall intermarry with a *Negro, Mulatto, or Indian, Jew, Moor, Mahometan, or other Infidel*; every such Servant shall *Ipsa Facto*, become free.

No Master shall make a Bargain with his Servant, without the Approbation of the County-Court.

IF any Servant shall bring in Goods or Money, or obtain any afterwards, they shall retain the Property and sole Use thereof to themselves.

AND if any Servant shall fall Sick or Lame, and shall thereby become useless, the Owners shall not put away such Servant, but shall maintain him or her during the whole Time of Service due by Indenture, Custom, or Order of Court.

AND if any Owner shall put away such Servant on pretence of the same, and the Servant thereby become chargeable to the Parish, the said Owner shall pay ten Pounds Current Money to the Church Wardens for the Use of the Parish, to be recovered by Action of Debt in any Court.

MALE-Servants not having yearly Wages, to have at freedom ten Bushels of *Indian* Corn, thirty Shillings in Money, or the value in Goods, and a Musket or Fuzee of twenty Shillings Value; and a Female-Servant fifteen Bushels of *Indian* Corn, and forty Shillings in Money, or the value thereof in Goods.

SERVANTS shall obey Commands, and if any shall resist their Master; Mistress, or Overseer, or offer Violence to any of them, they shall serve a Year for the same.

PERSONS dealing with any Servant or Slave without the Leave of the Master or Owner, shall be imprisoned a Calendar Month without Bail, and afterwards continue so until they give Bond with good Security of 10*l.* Current Money for good Behaviour a Year following, wherein a second Offence shall be a Breach of the Bond, and shall pay four Times the Value so bought to the Master or Owner, to be recovered *per* Action upon the Case with Costs.

Proviso, WHEN any Person Convict *per* this Act for dealing with a Servant or Slave, shall not immediately give Bond and Security for the good Behaviour as afore-

said, then the Court shall order thirty nine Lashes at the common Whipping Post instead thereof.

IN all Cases of penal Laws, where Persons free are punishable by Fine, Servants shall be punished by Whipping, after the Rate of twenty Lashes for every 500 *l.* of Tobacco, or fifty Shillings; unless such Servants procure some Person to pay the Fine, and then the Servant shall serve such Benefactor after his other Service ended, after the Rate of one Month and a half for every 100 *l.* of Tobacco.

A WOMAN Servant being deliver'd of a Bastard Child within the Time of her Service, shall serve her Master or Owner a Year for every such Offence, and the reputed Father if free shall give Security to the Church Wardens to maintain the Child, and save the Parish undamnified, or be compelled thereto by the County-Court upon their Complaint; but if a Servant, he shall make Satisfaction to the Parish by Service after other Service ended, or be compelled thereto by the County-Court upon the Church Warden's Complaint.

AND if a Master shall get his Maid with Child, he shall have no Service thereby, but when the Time of her other Service shall be ended, she shall be sold by the Church Wardens for the Time being for one Year, or pay one thousand Pounds of Tobacco to the Use of the Parish.

AND if any Christian white Woman Servant shall have a Bastard by a *Negro* or *Mulatto*, besides the Year's Service to her Master, she shall at the Expiration of her Time pay to the Church Wardens for the Use of the Parish fifteen Pounds Current Money, or be sold for five Years.

IF a free white Woman being a Christian shall have a Bastard Child by a *Negro* or *Mulatto*, for every such Offence, she shall within one Month after her Delivery pay to the Church Wardens fifteen Pounds Current Money of *Virginia*, or be by them sold for five Years to the Use of the Parish.

IN both the said Cases the Church Wardens shall bind out the said Child, until it shall be thirty one Years of Age.

IF a white Person being free shall intermarry with a *Negro* or *Mulatto*, bound or free, such white Person shall be committed to Prison for six Months without Bail, and shall

shall forfeit ten Pounds Current Money for the Use of the Parish as aforesaid.

No Minister or other Person shall wittingly marry a Negro or *Mulotto*, and white together. Penalty 1000 *l.* of Tobacco, Half to the *Queen*, and Half to the Informer with Costs, by Action of Debt, Bill, &c.

SERVANTS made free, shall have their Freedom recorded in the County-Court, and the Clerk's Certificate thereof shall be sufficient to exempt any Body from Danger by this Law, for dealing with Servants.

AND if such Certificate shall happen to be lost, the said Clerk shall grant a new one, and therein recite the Accident that happen'd to the old one, and whosoever shall hire such Servant, shall take his or her Certificate and keep it, till the contracted Time shall be expired.

Whoso shall entertain any Servant by Indenture or Contract here, not having such Certificate, shall pay 60 *l.* of Tobacco *per* Day to the Master with Costs, by Action of Debt.

IF a Runaway shall make use of a forged Certificate, or after the same shall be delivered upon being hired shall steal the same away, and thereby procure Entertainment, the Person entertaining upon such stolen or forged Certificate shall not be culpable by this Law, but the said Runaway, besides making Reparation for the Loss of Time, Charges in Recovery, and other Penalties by this Law, shall for such Theft stand two Hours in the Pillory on a Court Day, and the Person forging such Certificate shall pay ten Pounds Current Money, half to the *Queen*, and half to the Owner or the Master if he will inform, else to the Informer with Costs, by Action of Debt, Bill, Plaint, or Information.

AND if any Person convict of forging such Certificate shall not immediately pay the ten Pounds with Costs, or give Security to do the same within six Months, he shall receive thirty nine Lashes at the common Whipping Post in lieu thereof.

Proviso, WHEN any Master or Mistress shall hire a Runaway upon a forged Certificate, and the Servant denying it, the *Onus probandi* shall lye upon the Person hiring, or to be liable as if no Certificate was.

FOR the taking up of a Runaway Servant or Slave, if above ten Miles from the House or Quarter, there shall be allowed *per* the Publick 200 *l.* of Tobacco, and if above

five Miles and under ten, 100 *l.* of Tobacco, which shall be paid in the County where such Taker up shall reside, and shall be again levied by the Publick upon the Owner of such Servant or Slave.

EVERY Justice before whom such Runaway shall be brought upon the taking up, shall mention the proper Name and Surname of the Taker up, and County of Residence, with the Time and Place of taking up the runaway, the Name of the Runaway, and proper Name and Surname of the Owner, and County of his Residence, together with the Distance of Miles in the said Justice's Judgment, from the Place of taking up to the House or Quarter where such Runaway was kept.

Proviso, WHEN any Runaway cannot or will not declare his Master's Name, the Justice shall certify the same, and shall order such Runaway to be convey'd to the publick Goal of the Country, there to be continued Prisoner till the Owner shall be known, who upon paying the Charges, or giving Caution to the Prison-Keeper for the same, with the Reward of two hundred Pounds of Tobacco, or one hundred Pounds of Tobacco as the Case shall be, shall have the said Runaway restored; and further, the Justice when such Runaway shall be brought before him, shall commit him to the next Constable, and in the Warrant order him to give the Runaway any Number of Lashes not exceeding thirty nine, and then to be carried from Constable to Constable until he shall be carried Home, or to the Country Goal as aforesaid.

EVERY Constable thro' whose Hands he passes giving a Receipt at the Delivery, and every Constable failing to execute such Warrant according to the Tenour thereof, or refusing to give such Receipt, shall forfeit 200 *l.* of Tobacco to the Church Wardens of the Parish wherein such Failure shall be, for the Use of the Poor, with Costs, by Action of Debt, and such Corporal Punishment shall not deprive the Master of the other Satisfaction.

Proviso, WHEN any Servant or Slave shall have cross the great Bay of Chesapeak, and be brought before a Justice, the said Justice instead of committing him to the Constable, shall commit him to the Sheriff, who is to cause him to be transported again cross the Bay, and deliver'd to a Constable there, and for all his Trouble and Charge, shall have 500 *l.* of Tobacco paid by the Publick, which shall

shall be re-imburs'd again by the Master or Owner in manner aforesaid.

Provided also, WHEN any Runaway shall have cross'd the said Bay, and got up into the Country, into any County remote from the Bay, he shall be conveyed by Constables until he shall be brought to a Sheriff of some County adjoining to the said Bay, which Sheriff is also hereby required upon such Warrant to receive the Runaway, and pursue the Rules, and cause him to be conveyed as aforesaid, and have the like Reward.

AND if any Sheriff, Under-Sheriff, or other Officer belonging to the Sheriff, shall cause or suffer any such Runaway to work, such Sheriff shall forfeit to the Owner of the Runaway 1000 Pounds of Tobacco, with Costs by Action of Debt, Bill, &c.

IF any Sheriff or Constable shall suffer a Runaway to escape after Commitment, he shall be liable to Action at the Common Law by the Party grieved, for Recovery of his Damages, with Costs.

EVERY Runaway shall serve his Master one Month and a half for every 100 Pounds of Tobacco, paid as a Reward as aforesaid; and moreover shall serve double the Time of Absence, and make Reparation for all necessary Disbursements in the Pursuit, after the same Rate.

Proviso, THE Owner shall carry such Runaway to Court at the next County-Court after the Recovery, otherwise the Court may consider the Occasion of the Delay, and hear or refuse the Claim as they shall think fit, without Appeal for such Refusal.

No Master, Mistress, or Overseer, shall knowingly permit the Slave of any other Person, to remain upon his or her Plantation, above four Hours at one time, without the Leave of the Owner, or Overseer, on Penalty of 150 Pounds of Tobacco, to the Informer.

Proviso, IF any Runaway adjudged to serve, for the Charges of Pursuit and Recovery, shall at the time of being adjudged repay, or give good Security before the Court for Repayment of the same, within six Months after, such Owner shall be obliged to accept thereof, in lieu of his Service.

IF any Slave shall resist his Owner, or other Person by his, or her order correcting such Slave, and shall happen

to be kill'd in such Correction, it shall not be accounted Felony, neither shall any other Trouble ensue.

IF any *Negro, Mulatto, or Indian* bond or free, shall lift his or her hand in Opposition against any Christian, not being *Negro, Mulatto, or Indian*, and the Fact proved by the other Party, any Justice of the County shall order thirty Lashes for the same.

No Slave shall go armed with Gun, Sword, or Club, Staff, or other Weapon, nor go off his Master's Land, without Leave in Writing from his Master, Mistress, or Overseer; and if any Slave offends herein, any Person may apprehend and deliver such Slave to the Constable or Headborough, who is hereby required, without further Warrant, to give him twenty Lashes, and send him or her Home.

ALL Horses, Cattle, and Hogs of any Slave's Mark, shall be seized and sold by the Church-wardens of the Parish, for the use of the Poor.

OWNERS of Slaves, where there is no Christian Overseer, shall be liable for the Trespas and Damage done by such Slave.

BAPTISM of Slaves, doth not exempt them from Bondage.

CHILDREN are bond or free, according to the Condition of their Mother's, and the particular Directions of this Act.

WHEN any Slave shall lie out in the Woods, and will not be taken, any two Justices (*Quorum unus*) of that County where they lie or do Mischief, are required to issue Proclamation against them, reciting their Names, and Owner's Names, if they are known, and thereby requiring them, and every of them, forthwith to surrender themselves, and also forthwith empowering the Sheriff of the County to take such Power with him, as he shall think fit and necessary for the effectual apprehending such outlying Slaves, and go in search of them, which Proclamation shall be published on a *Sabbath* Day, at the Door of every Church and Chappel in the County, by the Parish Clerk or Reader of the Church, immediately after Divine Worship; and in Case any Slave against whom Proclamation hath been thus issued, and once published at any Church or Chappel, stay out, and do not immediately return Home, it shall be lawful for any Person whatsoever to kill him, without Impeachment of any Crime for the same,

AND if any such out-lying Slave shall be apprehended, it shall be lawful for the County-Court, upon Application of the Owner, to order such Punishment, by dismembering, or otherwise, as they shall think fit, not touching Life.

Proviso, EVERY Slave killed, in Pursuance of this Act, or put to Death by Law, shall be paid for by the Publick.

AND to the end the true Value may be known, and the Assembly better enabled to make a suitable Allowance, the Court of Claims, upon Application of the Owner, shall value the Slave in Money, and the Clerk shall return Certificate thereof, with the rest of the publick Claims.

THE Church-wardens of every Parish, at the Charge of the Parish, to provide Copies of this Act, and cause Entry thereof in their entry Book, and the Parish Clerk or Reader on the first Sermon *Sundays* in *September* and *March*, annually after Sermon or Divine Service ended, shall publish the same in every Church and Chappel in their Parish, and every Sheriff at the next Court to be held after the last Day of *February* annually, shall also publish it at the Door of the Court-house.

THE Sheriff for Default shall pay 600 Pounds of *Tobacco*, Half to the Queen, and Half to the Informer, with Costs by Action of Debt, Bill, Plaint, or Information, &c.

THE Clerk or Reader for his Default 600 Pounds of *Tobacco*, Half to the Informer, Half to the Poor of the Parish, with Costs by Debt, Bill, &c.

An Act to prevent killing of Deer at unseasonable Times.

DEER-killing in unfenced Ground prohibited, between the first of *January* and the last of *August*, or the Buying or Receiving *Venison* killed by an *Indian*, or other Person within those Times, on Penalty of 500 Pounds of *Tobacco* per Deer.

AND if a Servant or Slave be guilty, by Command of the Master, Mistress, or the Overseer, the Master, Mistress, or Overseer shall forfeit 500 Pounds of *Tobacco* for each Deer.

OR if any Servant or Slave of his own Head shall kill or buy any Deer contrary to this Act, and be convicted before a Justice by the Oath of one credible Witness, such Servant or Slave shall be adjudged to have thirty Lashes, unless some sufficient Person become Security to pay the
Fine

Virginia. An abridgement of the publick laws of Virginia, in force and use, June 10.1720. To which is added, for the ease of the justices and military officers, &c. Precedents of all matters be issued by them, peculiar to those law and varying from the precedents in England[.]. Printed for F. Fayram and J. Clarke at the Royal-Exchange; and T. Bickerton in Pater-Noster Row, 1722. Eighteenth Century Collections Online, link.gale.com/apps/doc/CB0132161509/ECCO?u=fred46430&sid=bookmark-ECCO&pg=96. Accessed 22 Sept. 2023.