

VIRGINIA CODES (1662, 1691, 1705)

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 . . . that all children born in this country shall be held bond or free only according to the condition of the mother . . .

1691 And be it further enacted . . . that if any English woman being free shall have a bastard child by any negro or mulatto, she pay the sum of fifteen pounds sterling, within one month after such bastard child shall be born, to the Church wardens of the parish where she shall be delivered of such a child, and in default of such payment she shall be taken into the possession of the Church wardens and disposed of for five years . . . and that such bastard child be bound out as a servant by the Church wardens until he or she shall attain the age of thirty years, and in case such English woman that shall have such a bastard child be a servant, she shall be sold by the Church wardens (after her time is expired that she ought by law to serve her master) for five years, 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 receiving stolen goods, or being grown old bring a charge upon the country; for prevention thereof: Be it 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 heirs, executors or administrators pay for the transportation of such negro or negroes out of the country.

1705 And for a further christian care and usage of all christian servants: Be it also enacted ... that no negroes, mulattoes, or Indians, although christians, or Jews, Moors, Mohammedans, or other infidels, shall, at any time, purchase any christian servant . . .

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 during the space of six months, without bail or mainprize; and shall forfeit and pay ten pounds current money of Virginia . . .

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.

Taken from "Virginia Codes Regulating Servitude and Slavery, 1642–1705," in *Interpreting a Continent: Voices from Colonial America*, eds. Kathleen DuVal and John DuVal (London: Rowman & Littlefield Publishers, 2009), 162–164.