

Colonial Laws

VIRGINIA, 1639

Act X. All persons except Negroes are to be provided with arms and ammunitions or be fined at the pleasure of the governor and council.

This was the first law to exclude "Negroes" from normal protections by the government.

SOURCE: Jane Purcell Guild, *Black Laws of Virginia: A Summary of the Legislative Acts of Virginia Concerning Negroes from Earliest Times to the Present*. (New York: Negro Universities Press, 1969), 37.

VIRGINIA, 1667

Act III. Whereas some doubts have arisen whether children that are slaves by birth . . . should by virtue of their baptism be made free, it is enacted that baptism does not alter the condition of the person as to his bondage or freedom; masters freed from this doubt may more carefully propagate Christianity by permitting slaves to be admitted to that sacrament.

This act established that Christian baptism would not affect the bondage of blacks or Indians.

SOURCE: Jane Purcell Guild, *Black Laws of Virginia*, 42.

MARYLAND, 1664

That whatsoever free-born [English] woman shall intermarry with any slave . . . shall serve the master of such slave during the life of her husband; and that all the issue of such free-born women, so married shall be slaves as their fathers were.

This was the first colonial "anti-amalgamation" law (amalgamation referred to "race-mixing").

Other colonies soon followed Maryland's example. A 1691 Virginia law declared that any white man or woman who married a "Negro, mulatto, or Indian" would be banished from the colony forever.

SOURCE: Lerone Bennet, Jr., *Before the Mayflower: A History of Black America*, 5th ed. (New York: Penguin Books, 1982), 301.

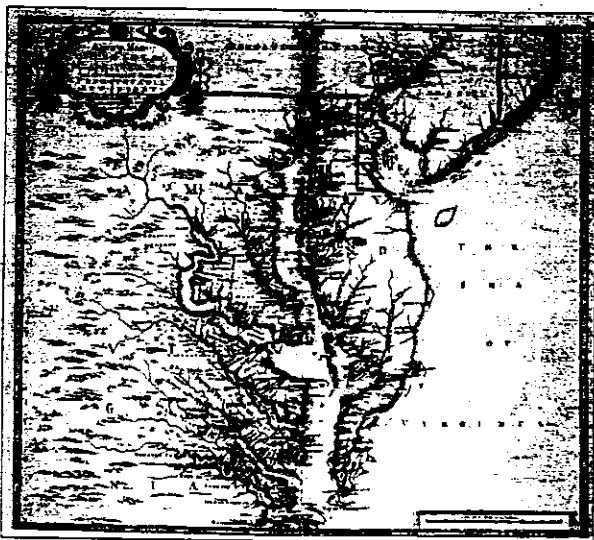
VIRGINIA, 1682

Act I. It is enacted that all servants . . . which [sic] shall be imported into this country either by sea or by land, whether Negroes, Moors [Muslim North Africans], mulattoes or Indians who and whose parentage and native countries are not Christian at the time of their first purchase by some Christian . . . and all Indians, which shall be sold by our neighboring Indians, or any other trafficking with us for slaves, are hereby adjudged deemed and taken to be slaves to all intents and purposes any law, usage, or custom to the contrary notwithstanding.

This law established the racial distinction between servants and slaves.

SOURCE: Jane Purcell Guild, *Black Laws of Virginia*, 26.

A 1719 map of Maryland and Virginia



Petitions and Pamphlets

From a **SLAVE PETITION** to the **MASSACHUSETTS GENERAL ASSEMBLY**, April 20, 1773

We expect great things from men who have made such a noble stand against the designs of their fellow-men [sic] to enslave them. . . . We are very sensible that it would be highly detrimental to our present masters, if we were allowed to demand all that of right belongs to us for past services; this we disclaim. Even the Spaniards, who have not those sublime ideas of freedom that English men have, are conscious that they have no right to all the services of their fellow-men, [sic] we mean the Africans, whom they have purchased with their money; therefore they allow them one day in a week to work for themselves, to enable them to earn money to purchase the residue of their time, which they have a right to demand in such portions as they are able to pay for. . . . We acknowledge our obligations to you for what you have already done, but as the people of this province seem to be actuated by the principles of equity and justice, we cannot but expect your house will again take our deplorable case into serious consideration, and give us that ample relief which, as men, we have a natural right to. . . .

This petition was submitted "In behalf of our fellow slaves of this province, and by order of their Committee" by Peter Bestes, Sambo Freeman, Felix Holbrook, and Chester Joie.

SOURCE: Herbert Aptheker, ed., *A Documentary History of the Negro People in the United States* (New York: The Citadel Press) 1969, 7-8.

From **THE RIGHTS OF THE BRITISH COLONIES ASSERTED AND PROVED**, James Otis, 1764

The colonists are by the law of nature freeborn, as indeed all men are, white or black. . . . Does it follow that 'tis right to enslave a man because he is black? Will short curled hair like wool instead of Christian hair, as 'tis called by those whose hearts are as hard as the nether millstone, help the argument? Can any logical inference in favor of slavery be drawn from a flat nose, a long or a short face? Nothing better can be said in favor of a trade [the slave trade] that is the most shocking violation of the law of nature, has a direct tendency to diminish the idea of the inestimable value of liberty, and makes every dealer in it a tyrant. . . .

James Otis was a leading Boston lawyer whose well-known pamphlet featured a section on the "Natural Rights of Colonists," including enslaved blacks.

SOURCE: Bernard Bailyn, ed., *Pamphlets of the American Revolution, 1750-1776*, Vol. 1. (Cambridge, Massachusetts: The Belknap Press, 1965), 439-440.

From **THE WATCHMAN'S ALARM**, John Allen, 1774

Blush ye pretended votaries of freedom! ye trifling patriots! who are making a vain parade of being advocates for the liberties of mankind, who are thus making a mockery of your profession by trampling on the sacred natural rights and privileges of Africans; for while you are fasting, praying, nonimporting, nonexporting, remonstrating, resolving, and pleading for a restoration of your charter rights, you at the same time are continuing this lawless, cruel, inhuman, and abominable practice of enslaving your fellow creatures . . . what is a trifling three-penny duty on tea compared to the inestimable blessings of liberty to one captive?

John Allen was a New England Baptist minister and pamphleteer.

SOURCE: Bernard Bailyn, ed., *Pamphlets of the American Revolution, 1750-1776*, Vol. 1. 439-440.

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