

THE
Statutes at Large;
BEING
A COLLECTION
OF ALL THE
LAWS OF VIRGINIA,
FROM THE
FIRST SESSION OF THE LEGISLATURE,
IN THE YEAR 1619.

PUBLISHED PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY OF VIRGINIA,
PASSED ON THE FIFTH DAY OF FEBRUARY ONE THOU-
SAND EIGHT HUNDRED AND EIGHT.

VOLUME I.

BY WILLIAM WALLER HENING.

^aThe *Laws* of a country are necessarily connected with every thing belonging to the people of it; so that a thorough knowledge of *them*, and of their progress, would inform us of every thing that was most useful to be known about them; and one of the greatest imperfections of historians in general, is owing to their ignorance of law." *Priestley's Lect. on Hist. Vol. I. pa. 149.*

NEW-YORK:

PRINTED FOR THE EDITOR, BY R. & W. & G. BARTOW.

1823.

THE sum of one hundred thousand pounds of tobacco is assigned to the Governour by this Assembly, in consideration of his expences, charge and pains in the government of this collony, arising out of the Dutch prizes and confiscation of forrain goods and ships, as by the accounts in the Assembly appears.

Salary of the governor.

CHARLES NORWOOD, *Cl. Ass.*
(*Bl. MS.*)

MARCH 10, 1655.*

[*This should be 1655-6. See post pa. 404.*]

ACT I.

An Induction to the Acts concerning Indians.

WHEREAS wee have bin often putt into great dangers by the invasions of our neighbouring and bordering Indians which humanely have bin only caused by these two particulars our extreame pressures on them and theire wanting of something to hazard &

Plan for civilizing the Indians by introducing among them the idea of separate property, &c.

* The 25th day of March was the beginning of the year, according to the Jewish computation; and the same rule was observed in England till by stat. 24, Geo. 2, chap. 23, sect. 1, (1751) it was declared that after the last day of December, 1751, the 25th of March should no longer be accounted the beginning of the year, but that the year 1752 should begin on the first day of January, and so, in each succeeding year, the first day of January should be deemed the first day of the year. This statute was rendered necessary by the adoption, in England, of the reformed calendar of Pope GREGORY XIII. made in the year 1572; from which period commenced the Gregorian calendar, or New Style. The calendar adjusted by JULIUS CÆSAR, 45 years before Christ, was called the Julian Calendar, or Old Style, as contradistinguished from the new. Most of the nations of Europe had adopted the Gregorian Calendar or New Style, long before the English; who being engaged in extensive commerce, found it convenient, for the sake of foreign correspondence, to preserve both the Old and the New Styles, between the 1st of January and the 25th of March, in each year. Accordingly, in most of the dates prior to 1752, (when the New Style commenced in England,) we see the old year continued till the 25th of March, with the new year annexed to it from the 1st of January to that date: Thus, January, 1623-4. February, 1631-2. March, 1642-3, &c. But this was not uniformly done.

New Style, adoption of.

That none have their quietus est vnder a year and a day after the confirmation of the administration.

Quietus, when grantable.

If any administrator be of no kin and have assets, that all the estate left after debts be paid, be employed in the county where he lived for setting vp of manufactures or for other publique vses, the administrator being paid his reasonable charges and for his paines.

Surplus estate after payment of debts to be employed in manufactures, &c. if the adm'r be of no kin to the intestate.

This act shall be of noe force or effect vntil the 24th of June next, which will be in the yeare of our Lord 1656.

Commencement of act.

ACT XI.

BE it enacted by this Grand Assembly that if any runnaway servant offend the second time against the act in March, 1642, concerning runnaway servants that then he shall onely be branded with the letter R: and passe vnder the statute for an incorrigible rogue, but also double his time of service so neglected, and soe likewise double the time that any time afterwards he shall neglect, and in some cases more if the comissioners think fitt: And be it further enacted by the authority aforesaid that he or she that shall lodge or harbour any such runaways shall not only pay 20 lb. of tobacco per night but also 40 lb. of tobacco per day as long as they shall be proved to entertaine them, contrary to an act of Assembly in March, 1642, relating to hired servants.

Runaway servants, for second offence, to be branded with the letter R. pass under the statute for an incorrigible rogue, and serve double the time lost. Penalty for harboring a runaway servant.

ACT XII.

WHEREAS it is much to be doubted, That the comon enimie the Indians, if opportunity serve, would suddenly invade this collony to a totall subversion of the same, and whereas the only means for the discovery of their plots is by allarms, of which no certainty can be had in respect of the frequent shooting of guns in drinking, whereby they proclaim, and as it were, justifie that beastly vice spending much powder in vaine, that might be reserved against the comon enimie, *Be it therefore enacted* that what person or persons soever shall, after publication hereof, shoot

Preamble.

No guns to be shot ex-

cept at marriages & funerals, under penalty of 100 lb. of tobacco.

any gunns at drinkeing (marriages and funerals onely excepted,) that such person or persons so offending shall forfeit 100 lb. of tobacco to be levied by distresse in case of refusall and to be disposed of by the militia in amunition towards a magazine for the county where the offence shall be comitted.

ACT XIII.

Comm'rs. or justices of the peace to be recommended by the court and appointed by the gov. and council.

BE it enacted by this present Grand Assembly that noe person or persons, for the future, be admitted to be a comissioner for any county court whatsoever, but such as shall be desired by the court and appointed by the Governour and Councill.

ACT XIV.

Inhabitants of the colony being sole owners of vessels exempted from castle duties.

FFOR the encouragement of trade *be it enacted* that all persons inhabiting in this collony, being sole owners of any vessell, shipp or barque, trading to any lawfull port whatsoever, be exempted from all castle duties but if any matter shall arise in question the oathes of the owners shall be required to make it appeare that they are such owners.

ACT XV.

Western and inland Indians having seated themselves near the falls of James river.

WHEREAS information hath bin given that many western and inland Indians are drawne from the mountaynes, and lately sett downe neer the falls of James river, to the number of six or seaven hundred, whereby vpon many severall considerations being had, it is conceived greate danger might ensue to this collony, *This Assembly therefore do think fitt* to resolve that these new come Indians be in noe sort suffered to seate themselves there, or any place near vs it having cost so much blood to expell and extirpate those perfidious and treacherous Indians which were there formerly, It being so apt a place to invade vs and within those lymitts which in a just warr were formerly conquered by us, and by vs reserved at the last conclusion of peace with the Indians, In pursuance whereof therefore and due respect to our own safety, *Be it enacted*

Coll. Edward Hill, with a