

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.*

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[The following important State Papers, being next in order of time to the Acts of 1649, are inserted in this place. In the MS. they are arranged among the *Revised Acts of 1657*; the two first not numbered, but the last marked as Act 86. See also *Jefferson's Notes on Virginia, Query XIII*, pa. 119 of 1st edit. pa. 214 of last edit. where the first and third of these papers may be found.]

ARTICLES

AT THE SURRENDER OF THE COUNTRIE.

Articles agreed on and concluded at James Cittie in Virginia for the surrendering and settling of that plantation vnder the obedience and goverment of the Commonwealth of England, by the commissioners of the Councill of State, by authoritie of the Parliament of England and by the Grand Assembly of the Governour, Councill and Burgesses of that countrey.

Treaty between the Commonwealth of England, and the colony of Virginia.

FIRST, It is agreed and cons'ted that the plantation of Virginia, and all the inhabitants thereof, shall be and remaine in due obedience and subjection to the common wealth of England, according to the lawes there established, And that this submission and subscription bee acknowledged a voluntary act not forced nor constrained by a conquest vpon the countrey, And that they shall have and enioy such freedomes and priviledges as belong to the free borne people of England, and that the former government by the comissions and instructions be void and null.

2dly. Secondly, that the Grand Assembly as formerly shall convene and transact the affairs of Virginia, wherein nothing is to be acted or done contrarie to the government of the common wealth of England and the lawes there established.

3dly. That there shall be a full and totall remission and indempnitie of all acts, words or writeings done or spoken against the parliament of England in relation to the same.

4thly. That Virginia shall have and enioy the anti-ent bounds and lymitts granted by the charters of the former Kings, And that we shall seek a new charter from the parliament to that purpose against any that have intrencht vpon the rights thereof.

5thly. That all the pattents of land granted vnder the collony seale, by any of the precedent Governours shall be and remaine in their full force and strength.

6thly. That the priuiledge of haueing fiftie acres of land for every person transported in the collony shall continue as formerly granted.

7thly. That the people of Virginia have free trade as the people of England do enioy to all places and with all nations according to the lawes of that commonwealth, And that Virginia shall enioy all priuiledges equall with any English plantations in America.

8thly. That Virginia shall be free from all taxes, customes and impositions whatsoever, and none to be imposed on them without consent of the Grand Assembly, And soe that neither fortes nor castles bee erected or garrisons maintained without their consent.

9thly. That noe charge shall be required from this country in respect of this present flect.

10thly. That for the future settlement of the country in their due obedience, the engagement shall be tendred to all the inhabitants according to act of parliament made to that purpose, that all persons who shall refuse to subscribe the said engagement, shall have a yeares time if they please to remove themselves, and their estates out of Virginia, and in the mean time during the said yeare to have equall justice as formerly.

11thly. That the vse of the booke of common prayer shall be permitted for one yeare ensueinge with reference to the consent of the major part of the parish, Provided that those things which relate to kingshipp or that government be not vsed publicly; and the continuance of ministers in their places, they not misde-meaning themselves: And the payment of their accustomed dues and agreements made with them respectively shall be left as they now stand dureing this ensueing yeare.

12thly. That no man's cattell shall be questioned as the companies vnles such as have been entrusted with them or have disposed of them without order.

13thly. That all amunition, powder and arms, other then for private vse shall be delivered vp, securitie being given to make satisfaction for it.

14thly. That all goods allreadie brought hither by the Dutch or others which are now on shoar shall be free from surprizall.

15thly. That the quittrents granted vnto vs by the late Kinge for seaven yeares bee confirmed.

16thly. That the comissioners for the parliament subscribing these articles engage themselves and the honour of the parliament for the full performance thereof: And that the present Governour and the Councill and the Burgesses do likewise subscribe and engage the whole collony on their parts.

RICH: BENNETT, *Seale.*

Wm. CLAIBORNE, *Seale.*

EDMOND CURTIS, *Seale.*

These articles were signed and sealed by the commissioners of the Councill of State for the Commonwealth of England, the twelveth day of March, 1651.

Articles for the surrendring Virginia to the subjection of the Parliament of the Common wealth of England, agreed vppon by the honourable the Comissioners for the Parliament and the hon'ble. the Governour and Councill of State.

Additional
treaty, be-
tween the
Common-
wealth of En-
gland, and the
colony of
Virginia.

FIRST, That neither Governour nor councill shall be obliged to take any oath or engagement to the Common-Wealth of England for one whole yeare, And that neither Governour nor Councill be censured for praying for or speaking well of the King for one whole yeare in their private houses or neighbouring conference.

2dly. That there be one sent home at the present Governour's choice to give an accompt to his Ma'tie of