

MILITARY

TRANSCRIPTION: DUNMORE'S PROCLAMATION

By His Excellency the Right Honorable JOHN Earl of DUNMORE, His Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A PROCLAMATION.

As I have ever entertained Hopes that an Accommodation might have taken Place between Great Britain and this colony, without being compelled, by my Duty, to this most disagreeable, but now absolutely necessary Step, rendered so by a Body of armed Men, unlawfully assembled, firing on his Majesty's Tenders, and the Formation of an Army, and that Army now on their March to attack his Majesty's Troops, and destroy the well-disposed Subjects of this Colony: To defeat such treasonable Purposes, and that all such Traitors, and their Abettors, may be brought to Justice, and that the Peace and good Order of this Colony may be again restored, which the ordinary Course of the civil Law is unable to effect, I have thought fit to issue this my Proclamation, hereby declaring, that until the aforesaid good Purposes can be obtained, I do, in Virtue of the Power and Authority to me given, by his Majesty, determine to execute Martial Law, and cause the same to be executed throughout this Colony; and to the End that Peace and good Order may the sooner be restored, I do require every Person capable of bearing Arms to report to his Majesty's STANDARD, or be looked upon as Traitors to his Majesty's Crown and Government, and thereby become liable to the Penalty the Law inflicts upon such Offences, such as Forfeiture of Life, Confiscation of Lands, &c. &c. And I do hereby further declare all indentured Servants, Negroes or others (appertaining to Rebels) free, that are able and willing to bear Arms, they joining his Majesty's Troops, as soon as may be, for the more speedily reducing this Colony to a proper Sense of their Duty, to his Majesty's Crown and Dignity. I do farther order, and require, all his Majesty's liege Subjects, to retain their Quitrents, or any other Taxes due...

GIVEN UNDER MY Hand, on Board the Ship William, off Norfolk, the 7th Day of November, in the 16th Year of his Majesty's Reign.

DUNMORE

GOD SAVE THE KING.

Source: original in the Tracy W. McGregor Library, University of Virginia, Charlottesville.

PASSIVE RESISTANCE

1. "The 2 sarahs came up yesterday pretending to be violent ill with pain in their sides. They look very well, had no fever, and I ordered them down to their work upon pain of a whipping. They went, worked very well with no grunting about pain but one of them, to wit Manuel's sarah, taking the advantage of Lawson's ride to the fork, swore she would not work any longer and run away and is still out. There is a curiosity in this Creature. She worked none last year pretending to be with Child and this she was full 11 months before she was brought to bed. She has now the same pretence and thinks to pursue the same course but as I have full warning of her deceit, if I live, I will break her of that trick. I had two before of this turn. Wilmot of the fork whenever she was with Child always pretended to be too heavy to work and it cost me 12 months before I broke her. Criss of Mangrorike fell into the same scheme and really carried it to great length for at last she could not be dragged out... and when caught by a severe whipping has been a good slave ever since only a cursed thief in making her Children milk my cows in the night." (pages 371–372)
2. "Ball yesterday found some shelled Corn as well as eared Corn in Manuel's quarter with one of my bags. Thus has that rascal made good my suspicion either of not giving all the Corn he was allowed to the Oxen he drove to the horses or else has robbed me of Corn as he brought from Mangrorike." (page 376)
3. "Oxen are not the thing to plow with, they are slow at best, and tire every hot day. And the plowmen unmercifull to them by constant beating them; a villainous fault always in Manuel; and if I get horses, then they are rode out in the nights by the Negroes." (page 442)

Source: Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752B1778*, II (Charlottesville, Va., 1965)

LEGAL PETITIONS

Prince Hall
Petition
January 12, 1777

To the Honorable Counsel & House of Representatives for the State of Massachusetts Bay in General Court assembled, January 13, 1777:

The petition of A Great Number of Blackes detained in a State of slavery in the bowels of a free & Christian County Humbly sheweth that your Petitioners apprehend that they have in Common with all other men a Natural and Unalienable Right to that freedom which the Great Parent of the Universe that Bestowed equally on all mankind and which they have Never forfeited by any Compact or agreement whatever but that wher Unjustly Dragged by the hand of cruel Power and their Derest friends and sum of them Even torn from the Embraces of their tender Parents from A populous Pleasant and Plentiful country and in violation of Laws of Nature and of Nations and in Defiance of all the tender feelings of humanity Brough here Either to Be sold like Beast of burthen & Like them Condemned to Slavery for Life Among A People Professing the mild Religion of Jesus A people Not Insensible of the Secrets of Rational Being Nor without spirit to Resent the unjust endeavors of others to Reduce them to a state of Bondage and Subjugation your hononuer Need not to be informed that A Live of Slavery Like that of your petitioners Deprived of Every social privilege of Every thing Requisite and render Life Tolable is far worse that Nonexistence.

(In imitat)ion of the Lawdable Example of the Good People of these States your petitioners have Long and Patiently waited the Event of petition after petition. By them presented tot the Legislative Body of this state and cannot but with Grief Reflect that their Success hath been but too similar they Cannot but express their Astonishment that It have Never Bin Considered that Every Principle from which America has Acted in the Course of their unhappy Difficulties with Great Briton Pleads Stronger than A thousand arguments in favors of your petitioners they therfor humble Beseech your honours to give this petition its due weight and consideration & cause an act of the legislature to be past Wherby they may be Restored to the Enjoyments of that which is the Natural right of all menand their Children who wher Born in this Land of Liberty may not be held as Slaves after they arrive at the age of twenty one years so may the Inhabitance of this States No longer chargeable with the inconstancy of acting themselves that part which they condemn and oppose in others Be prospered in their present Glorious struggle for Liberty and have those Blessings to them, &c.

Source: This document is part of the public domain and can be found at the Volunteer State Community College website at <http://www2.volstate.edu/socialscience/finaldocs/revolution/petition.htm> accessed January 7, 2008.

RUNAWAY

May 1, 1778

RUN away from the subscriber, living in *Brunswick* county, two negro fellows formerly the property of the Rev. *John Dixon*, viz. JACK, a large likely fellow about five feet eleven inches high, dressed in a Virginia cloth jacket and breeches, with a furred cap. NAT, about five feet ten inches high, with thin lips, pretends to be very religious, and is a *Baptist teacher*. They got away last night at *Capahosick* ferry, ironed together. I will give FIFTY DOLLARD reward for each to any person that will secure them in *Williamsburg* jail.

TURNER BYNAM.

N.B. I expect they will be lurking about Mr. *John Dixon's* quarters in *Gloucester*.

Source: *Virginia Gazette*, Purdie, ed., May 1, 1778.

May 21, 1778

FORTY DOLLARS REWARD,

For apprehending the following slaves, and securing them so that I get them again, or twenty dollars for each, viz. Sam, a negro fellow about thirty five years old, five feet six or seven inches high, his complexion a little yellowish, has thick lips, and a scar from his under lip down his chin, occasioned by the cut of a whipsaw, is fond of liquor, and when drunk talks loud and pert, but the contrary when sober. He had on an old pale blue cloth coat, buckskin breeches, patched in several places, and shoes and stockings; he also carried with him a Dutch blanket, a jacket of Virginia cloth, white filled with black wool, and kersey wove, with red cuffs, and several other clothes. Tom, a white mulatto lad, about eighteen or nineteen years of age, five feet six or seven inches high, his lips thick, and has a surly look, has bad fore teeth, gray eyes, his hair cut on the crown of his head, and of a rusty brown colour, has a clumsy lounging walk, and pretends to be religious. He has with him sundry clothes, a white Virginia cloth jeans coat, a green cloth coat with a blue narrow cape, blue button holes, and metal buttons, an old mixed Wilton coat, two narrow striped Virginia cloth jackets, white breeches, and good shoes and stockings. He is a simple fellow, and I am persuaded was enticed away by Sam. They ran away from me the 19th instant, were seen at *Williamsburg* the 21st, and at *York* on the 23d. I suppose they intend to get on board some vessel, as they said they were watermen, or on board the men of war. Sam is an artful cunning fellow, and if not put in irons when taking will make his escape.

JAMES BELSCHES.

CABIN POINT, May 21, 1778.

Source: *Virginia Gazette*, Purdie, ed., June 19, 1779.

July 2, 1766—George Washington Sells a Runaway Slave Named Tom to the West Indies

Although by all accounts George Washington was a humane master who tried not to separate slave families and who developed an increasing antipathy toward the institution of slavery over the course of his life, he had little tolerance for rebellious slaves. In 1766, he wrote the letter transcribed below, asking Captain Joseph Thompson to sell a slave named Tom to the West Indies in return for molasses, rum, fruit, sweetmeats, and spirits. Similarly, in 1772, he sold a slave named Will Shag, who had run away several times and had beaten an overseer, to Port-au-Prince for molasses.

Sir, Mount Vernon July 2d 1766.

With this Letter comes a Negro (Tom) which I beg favour of you to sell, in any of the Islands you may go to, for whatever he will fetch, & bring me in return for him

One Hhd of best Molasses

One Ditto of best Rum

One Barrl of Lymes—if good & Cheap

One Pot of Tamarinds--contg about 10 lbs.

Two small Do of mixed Sweetmeats--abt 5 lb. each

And the residue, much or little, in good old Spirits

That this Fellow is both a Rogue & Runaway (tho. he was by no means remarkable for the former, and never practised the latter till of late) I shall not pretend to deny--But that he is exceeding healthy, strong, and good at the Hoe, the whole neighbourhood can testifie & particularly Mr Johnson and his Son, who have both had him under them as foreman of the gang; which gives me reason to hope he may, with your good management, sell well, if kept clean & trim'd up a little when offerd to Sale.

I shall very chearfully allow you the customary Commissions on this affair, and must beg the favour of you (least he should attempt his escape) to keep him handcuffd till you get to Sea--or in the Bay--after which I doubt not but you may make him very useful to you.

I wish you a pleasant and prosperous Passage, and a safe & speedy return, being Sir, Yr Very Hble Servt

Go: Washington

Source: *The Papers of George Washington*, ed. Abbot and Twohig, et al., Colonial Series, 7:453-454.

Time Line: The Evolution of Virginia Slave Codes

1639—Henning Statutes at Large

All persons except Negroes are to be provided with arms and ammunition or be fined at pleasure of the Governor and Council.

1640—The John Punch Case

On July 9, 1640, members of the General Court decided the punishment for three servants who ran away from their master as a group. The proceedings reveal interracial cooperation among servants at a time when the colony's leaders were starting to codify legal differences between European colonists and Africans or African Americans. John Punch, guilty of the same crime as his cohorts of European descent, became the first African required by Virginia law to be a slave for life. The court ordered that:
. . . all three servants shall receive the punishment of whipping and to have thirty stripes apiece one called Victor, a Dutchman, the other a Scotchman called James Gregory, shall first serve out their time with their master according to their Indentures, and one whole year a piece after the time of their service is Expired. By their said Indentures in recompense of his Loss sustained by their absence and after that service to their said master is Expired to serve the colony for three whole years apiece, and that the third being a Negro named John Punch shall serve his said master or his assigns for the time of his natural Life here or elsewhere.

March 1655—Anthony Johnson's Suit to Regain Possession of His Slave

Anthony Johnson, Negro, moved to Northampton County after he gained his freedom from Edward Bennett, who owned his indenture. Johnson became a landowner and a slave owner. In 1655, he turned to the county court to regain possession of John Casor, a slave whom Robert Parker detained.

1656—Elizabeth Key's Suit for Her Freedom

In January 1655/6, a mulatto woman named Elizabeth Key sued for her freedom. She based her petition on the following facts: her father was a white man, she was a Christian, and a contract that her father had arranged in her behalf had been violated. Key's successful suit indicates that enslaved Africans and their descendants had the right to sue in court in the years before legislators defined the institution of slavery in Virginia.

1662—Henning Statutes at Large, Act XII: Negro womens children to serve according to the condition of the mother.

Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shall be held bond or free only according to the condition of the mother.

1667—Henning Statutes at Large, Act III: An Act declaring that baptism of slave doth not exempt them from bondage.

Whereas some doubt have risen whether children that are slaves by birth, and by the charity and piety of their owners made pertake of the blessed sacrament of baptisme, should by vertue of their baptisme be made free; It

is enacted and declared by this grand assembly, and the authority thereof, that the conferring of baptisme doth not alter the condition of the person as to his bondage or freedome; that diverse masters, freed from this doubt, may more carefully endeavour the propagation of Christianity by permitting children, though slaves, or those of greater growth if capable to be admitted to that sacrament.

1669—Henning Statutes at Large, Act I: An act about casuall killing of slaves.

Be it enacted and declared by this grand assembly, if any slave resist his master (or other by his masters order correcting him) and by the extremity of the corrections should chance to die, that his death shall not be accompted felony, but the master (or that other person appointed by the master to punish him) be aquit from molestation, since it cannot be presumed that prepensed malice (which alone makes murther felony) should induce any man to destroy his owne estate.

1670—Henning Statutes at Large, Act XII: What tyme Indians to serve.

It is resolved and enacted that all servants not being Christians imported into this colony by shipping shall be slaves for their lives; but what shall come by land shall serve, if boyes or girles, until thirty yeares of age, if men or women twelve yeares and no longer.

1680—Henning Statute at Large, Act X: An act for preventing Negroes insurrections.

Whereas the frequent meeting of considerable numbers of negroe slaves under pretence of feasts and burials is judged of dangerous consequence; for prevention whereof for the future, Bee it enacted by the kings most excellent majestie by and with the consent of the generall assembly, and it is hereby enacted by the authority aforesaid, that from and after the publication of this law, it shall not be lawfull for any negroe or other slave to carry or arme himselfe with any club, staffe, gunn, sword or any other weapon of defence or offence, nor to goe or depart from of his masters ground without a certificate from his master, mistris or overseer and such permission not to be granted but upon perticuler and necessary occasions; and every negroe or slave soe offending not having a certificate as aforesaid shall be sent to the next constable, who is hereby enjoyned and required to give the said negroe twenty lashes on his bare back well layd on, and soe sent home to his said master, mistris or overseer. And it is further enacted by the authority aforesaid that if any negroe or other slave shall presume to lift up his hand in opposition against any Christian, shall for every such offence, upon due prooffe made thereof by the oath of the party before a magistrate, have and receive thirty lashes on his bare back well laid on.

1682—Henning Statutes at Large, Act III: An additional act for the better preventing insurrections by Negroes.

Bee it likewise enacted by the authority aforesaid, that noe master or overseer knowingly permit or suffer, without the leave or licence of his or their master or overseer, any negroe or slave not properly belonging to him or them to remaine or be upon his or their plantation above the space of four houres at any one time, contrary to the intent of the aforerecited act upon paine to forfeite, being thereof lawfully convicted, before some one justice of peace within the county where the fact shall be committed, by the oath of two witnesses at the least, the summe of two hundred pounds of tobacco in cask for each time soe offending to him or them that will sue for the same, for which the said justice is hereby impowered to award judgement and execution.

1691—Henning Statutes at Large, Act XVI: An act for suppressing outlying slaves.

And be it further enacted by the authoritie aforesaid, and it is hereby enacted, that if any English woman being free shall have a bastard child by any Negro or mulatto, she pay the sume of fifteen pounds sterling, within one moneth after such bastard child be born, to the church wardens of the parish where she shall be delivered of such child, and in default of such payment she shall be taken into the possession of the said church wardens and disposed of for five years, and the said fine of fifteen pounds, or whatever the woman shall be disposed of for, shall be paid, one third part to their majesties for and towards the support of the government and the contingent charges thereof, and one other third part to the use of the parish where the offence is committed, and the other third part to the informer, and that such bastard child be bound out as a servant by the said Church wardens until he or she shall attaine the age of thirty yeares, and in case such English woman that shall have such bastard child be a servant, she shall be sold by the said church wardens, (after her time is expired that she ought by law to serve her master) for five yeares, and the money she shall be sold for divided as is before appointed, and the child to serve as aforesaid. . . . Be it enacted by the authority aforesaid, and it is hereby 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 heires, executors or administrators pay for the transportation of such Negro or Negroes out of the countrey within six moneths after such setting them free upon paying ten punds sterling to the Church wardens of the parish . . .

1705—Henning Statutes at Large, Chapter XXII: An act declaring the Negro, Mulatto, and Indian slaves within this dominion, to be real estate.

Be it enacted, by the governor, council and burgesses of this present general assembly, and it is hereby enacted by the authority of the same, That from and after the passing of this act, all Negro, mulatto, and Indian slaves, in all courts of judicature, and other places, within this dominion,

shall be held, taken, and adjudged, to be real estate (and not chattels;) and shall descend unto the heirs and widows of persons departing this life, according to the manner and custom of land of inheritance, held in fee simple.

1723—Hening Statutes at Large, Act. IV. An Act directing the trial of Slaves, committing capital crimes; and for the more effectual punishing conspiracies and insurrections of them; and for the better government of Negroes, Mulattos, and Indians, bond or free.

I. Whereas the laws now in force, for the better orderings and governing of slaves, and for the speedy trial of such of them as commit capital crimes, are found insufficient to restrain their tumultuous and unlawful meetings, or to punish the secret plots and conspiracies carried on amongst them, and know only to such, as by laws now established, are not accounted legal evidence; And it being found necessary, that some further provision be made, for detecting and punishing all such dangerous combinations for the future.

II. Be it enacted, by the Lieutenant-Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same, That if any number of negroes, or other slaves, exceeding five, shall at any time hereafter consult, advise, or conspire the murder of any person or persons whatsoever, every such consulting, plotting, or conspiring, shall be adjudged and deemed felony; and the slave or slaves convicted thereof, in manner herein after directed, shall suffer death, and be utterly excluded the benefit of clergy, and of all laws made concerning the same.

XVII. And be it further enacted, by authority aforesaid, That no negro, mulatto, or indian slaves, shall be set free, upon any pretence whatsoever, except for some meritorious services, to be adjudged and allowed by the governor and council, for the time being, and a licence thereupon first had and obtained.—And that, where any slave shall be set free by his master or owner, otherwise than is herein before directed, it shall and may be lawful for the churchwardens of the parish, wherein such negro, mulatto, or Indians, shall reside for the space of one month, next after his or her being set free, and they are hereby authorized and required, to take up, and sell the said negro, mulatto, or indian, as slaves, at the next court held for the said county, by public outcry; and that the monies arising by such sale, shall be applied to the use of the said parish, by the vestry thereof.

XXI. And be it further enacted, by the authority aforesaid, That all free negroes, mulattos, or indians, (except tributary Indians to this government) male and female, above the age of sixteen years, and all wives of such negroes, mulattos, or indians, (except before excepted) shall be deemed and accounted tithables; any law, custom, or usage, to the contrary, in any wise, notwithstanding.

XXII. And be it further enacted, by the authority aforesaid, and it is hereby enacted and declared, That no free negro, mulatto, or indian whatsoever, shall hereafter have any vote at the election of burgesses, or any other election whatsoever.

1723—Hening Statutes at Large, Act XXXVIII. An Act directing the trial of Slaves committing capital crimes; and for the more effectual punishing conspiracies and insurrections of them; and for the better government of negroes, mulattoes, and Indians, bond or free.

XI. . . . That no negroe, mulattoe, or indian whether a slave, or free, shall be admitted in any court or record, or before any magistrate of this colony, to be sworn as a witness, or give evidence in any cause whatsoever, except upon the trial of a slave for a capitol offence.

XII. Provided nevertheless, That any free negro, mulattoe, or Indian being a Christian, shall be admitted in any court, or before a justice of peace, to be sworn as a witness, and give evidence, against or between any other negroes, mulattoes, or Indians, slave or free, in any cause civil or criminal.

May 1782—Hening Statutes at Large, Act XXI. An act to authorize the manumission of slaves.

I. Whereas application hath been made to this present general assembly, that those persons who are disposed to emancipate their slaves may be empowered so to do, and the same hath been judged expedient under certain restrictions: Be it therefore enacted, That it shall hereafter be lawful for any person, by his or her last will and testament. Or by any other instrument in writing, under his or her hand and seal, attested and proved in the county court by two witnesses, or acknowledged by the party in the court of the county where he or she resides, to emancipate and set free, his or her slaves, or any of them, who shall thereupon be entirely and fully discharged from the performance of any contract entered into during servitude, and enjoy as full freedom as if they had been particularly named and freed by this act.

1783—Hening Statutes at Large, Act III. An Act directing the emancipation of certain slaves who have served as soldiers in this state, and for the emancipation of the slave Aberdeen.

I. Whereas it hath been represented to the present general assembly, that during the course of the war, many persons in this state had caused their slaves to enlist in certain regiments or corps raised within the same, having tendered such slaves to the officers appointed to recruit forces within the state, as substitutes for free persons, whose lot of duty it was to serve in such regiments or corps, at the same time representing to such recruiting officers that the slaves so enlisted by their direction and concurrence were freemen; and it appearing further to this assembly, that on the expiration of the term of enlistment of such slaves that the former owners have attempted again to force them to return to the state of servitude, contrary to the principles of justice, and to their own solemn promise.

II. And whereas it appears just and reasonable that all persons enlisted as aforesaid, who have faithfully served agreeable to the terms of their enlistment, and have thereby of course contributed towards the establishment of American liberty and independence, should enjoy the blessings freedom as a reward for their toils and labours; Be it therefore enacted, That each and every slave, who

by the appointment and direction of his owner, hath enlisted in any regiment or corps raised within this state, either on continental or state establishment, and hath been received as a substitute for any free person whose duty or lot it was to serve in such regiment or corps, and hath served faithfully during the term of such enlistment, or hath been discharged from such service by some officer duly authorized to grant such discharge, shall from and after the passing of this act, be fully and completely emancipated, and shall be held and deemed free in as full and ample a manner as if each and every of them were specially named in this act;

III. And whereas it has been represented to this general assembly that Aberdeen, a negro man slave, hath labored a number of years in the public service at the lead mines, and for his meritorious services is entitled to freedom; Be it therefore enacted, That the said slave Aberdeen shall be, and he is hereby emancipated and declared free in as full and ample a manner as if he had been born free.

1806—Shepherd Statutes at Large, Act LXIII. An Act to amend the several laws concerning slaves [Passed January 25, 1806].

10. And be it further enacted, That if any slave hereafter emancipated shall remain within this commonwealth more that twelve months after his or her right to freedom shall have accrued, he or she shall forfeit all such right, and may be apprehended and sold by the overseers of the poor of any county or corporation in which he or she shall be found, for the benefit of the poor of such county or corporation.