

GOVERNOR SIR THOMAS GATES

For The Colony in Virginea Britannia. Lawes Divine, Morall and Martiall, &c.

EXCERPTS OF GOVERNOR'S ORDERS

1610

Jamestown, Colony of Virginia

BACKGROUND

Sir Thomas Gates arrived at Jamestown during the Starving Time, finding only 60 of the 240 original settlers in James Fort alive. Appointed by the Virginia Company as Governor of the colony of Virginia, Gates imposed these Laws of Virginia—the first American law code.

GUIDING QUESTIONS

1. What is the ruler of the colony's "principal care?"
2. What are the duties of the people on the Sabbath?
3. What are the punishments given to those who break these laws?

William Strachey, *For the Colony in Virginea Britannia, Lawes Diuine, Morall and Martiall, ec.* (London: Walter Burre, 1612), 9-12, 19 in Peter Force, ed. *Tracts and Other Papers Relating to the Origin, Settlement, and Progress of Colonies in North America* (Washington, DC: William W. Force, 1844), volume III [modernized].

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Whereas His Majesty, like himself a most zealous prince, has in his own realms a principal care of true religion and reverence to God, and has always strictly commanded his generals and governors, with all his forces wheresoever, to let their ways be like his ends, for the glory of God.

- 5 And forasmuch as no good service can be performed, or war well managed, where military discipline is not observed, and military discipline cannot be kept where the rules or chief parts thereof, be not certainly set down and generally known, have (with the advice and counsel of Sir Thomas Gates, Knight, Lieutenant-General) adhered unto the laws divine and orders politic and martial of his lordship (the same exemplified) an addition of such
- 10 others as I have found either the necessity of the present state of the colony to require, or the infancy and weakness of the body thereof as yet able to digest, and do now publish them to all persons in the colony, that they may as well take knowledge of the laws themselves as of the penalty and punishment, which without partiality shall be inflicted upon the breakers of the same.
- 15 First, since we owe our highest and supreme duty, our greatest, and all our allegiance to Him from whom all power and authority is derived and flows as from the first, and only, fountain, and being special soldiers impressed in this sacred cause, we must alone expect our success from Him who is only the blesser of all good attempts, the King of kings, the Commander of commanders, and Lord of hosts, I do strictly command and charge all
- 20 captains and officers, of what quality or nature soever, whether commanders in the field, or in the town, or towns, forts, or fortresses, to have a care that the Almighty God be duly and daily served, and that they call upon their people to hear sermons, as that also they

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diligently frequent morning and evening prayer themselves by their own exemplar and daily life, and duty herein, encouraging others thereunto, and that such who shall often and willfully absent themselves be duly punished according to the martial law in that case provided.

- 5 That no man speak impiously or maliciously against the holy and blessed Trinity, or any of the three persons, that is to say, against God the Father, God the Son, and God the Holy Ghost, or against the known articles of the Christian faith, upon pain of death.

- That no man blaspheme God's holy name, upon pain of death, or use unlawful oaths, taking the name of God in vain, curse, or ban, upon pain of severe punishment for the first offence
- 10 so committed, and for the second, to have a bodkin thrust through his tongue, and if he continue blaspheming of God's holy name, for the third time so offending, he shall be brought to a martial court, and there receive censure of death for his offence.

No man shall use any traitorous words against His Majesty's person or royal authority, upon pain of death.

- 15 No man shall speak any word, or do any act, which may tend to the derision or despite of God's holy word, upon pain of death. Nor shall any man unworthily demean himself unto any preacher or minister of the same, but generally hold them in all reverent regard and dutiful entreaty, otherwise he, the offender, shall openly be whipped three times, and ask public forgiveness in the assembly of the congregation three several Sabbath days.

- 20 Every man and woman duly twice a day upon the first tolling of the bell shall upon the working days repair unto the Church to hear divine service upon pain of losing his or her

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- day's allowance for the first omission, for the second to be whipped, and for the third to be condemned to the galleys for six months. Likewise no man or woman shall dare to violate or break the Sabbath by any gaming, public or private, abroad or at home, but duly sanctify and observe the same, both himself and his family, by preparing themselves at home with
- 5 private prayer, that they may be the better fitted for the public, according to the commandment of God, and the orders of our Church, as also every man and woman shall repair in the morning to the divine service, and catechizing, upon pain for the first fault to lose their provision and allowance for the whole week following, for the second to lose the said allowance, and also to be whipped, and for the third to suffer death.
- 10 All preachers or ministers within this, our colony or colonies, shall in the forts where they are resident after divine service duly preach every Sabbath day in the forenoon, and catechize in the afternoon and weekly say the divine service twice every day, and preach every Wednesday. Likewise every minister where he is resident, within the same fort or fortress, towns or town, shall choose unto him four of the most religious and better
- 15 disposed as well to inform of the abuses and neglects of the people in their duties and service to God, as also to the due reparation and keeping of the Church handsome and fitted with all reverent observances thereunto belonging. Likewise every minister shall keep a faithful and true record, or church book, of all christenings, marriages, and deaths of such our people as shall happen within their fort or fortresses, towns or town at any time, upon
- 20 the burden of a neglectful conscience, and upon pain of losing their entertainment.

He that upon pretended malice shall murder or take away the life of any man shall be punished with death.

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No man shall commit the horrible and detestable sins of sodomy, upon pain of death; and he or she that can be lawfully convicted of adultery shall be punished with death. No man shall ravish or force any woman, maid or Indian, or other, upon pain of death, and know that he or she that shall commit fornication, and evident proof made thereof, for their first
5 fault shall be whipped, for their second they shall be whipped, and for their third they shall be whipped three times a week for one month, and ask public forgiveness in the assembly of the congregation.

No man shall be found guilty of sacrilege, which is a trespass as well committed in violating and abusing any sacred ministry, duty, or office of the Church irreverently or profanely, as
10 by being a church robber, to filch, steal, or carry away anything out of the church appertaining thereunto, or unto any holy and consecrated place, to the divine service of God, which no man should do, upon pain of death. Likewise he that shall rob the store of any commodities therein, of what quality soever, whether provisions of victuals, or of arms, trucking stuff, apparel, linen or woollen, hose or shoes, hats or caps, instruments or tools of
15 steel, iron, etc., or shall rob from his fellow soldier or neighbor anything that is his, victuals, apparel, household stuff, tool, or what necessary else soever, by water or land, out of boat, house, or knapsack, shall be punished with death.

He that shall take an oath untruly, or bear false witness in any cause, or against any man whatsoever, shall be punished with death.

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„Every minister or preacher shall every Sabbath day before catechizing read all these laws and ordinances, publicly in the assembly of the congregation, upon pain of his entertainment checked for that week.