

any matter or thing whatsoever depending before any court of record, or before any magistrate within this province, wherein any christian white person is concerned.

SEC. 3. *Yet, nevertheless,* Where other sufficient evidence is wanting against any negro or mulatto slaves, free negro, or mulatto born of a white woman, during their servitude by law, or against any Indian native of this or the neighbouring provinces, in such a case the testimony of any negro or mulatto slave, free negro, mulatto born of a white woman, or Indian native of this or the neighbouring provinces, may be heard and received as evidence, according to the discretion of the several courts of record, or magistrate, before whom such a matter or thing against such negro, mulatto slave, &c. shall depend, provided such evidence or testimony do not extend to the depriving them, or any of them, of life or member.

But may
against
each other,
&c.

See the notes under the act of 1715, ch. 44, and 1728, ch. 4.

By 1801, ch. 109, and by 1808, ch. 81, slaves may give evidence in all cases against free negroes.

SEC. 4. Superseded by 1809, ch. 138, sec. 21.

SEC. 5. *And,* whereas in the law relating to servants and slaves there is no punishment or penalties laid upon negroes or mulattoes intermarrying with any white person, *Be it therefore enacted, by and with the authority, advice and consent aforesaid,* That if any free negro or mulatto intermarry with any white woman, or if any white man shall intermarry with any negro or mulatto woman, such negro or mulatto shall become a slave during life, excepting mulattoes born of white women, who for such intermarriage shall only become servants for seven years, to be disposed of as the justices of the county court where such marriage so happens shall think fit, to be applied by them towards the support of a public school within the said county, and any white man or white woman who shall intermarry as aforesaid with any negro or mulatto, such white man or white woman shall become servants during the term of seven years, and shall be disposed of by the justices as aforesaid, and be applied to the uses aforesaid.

No free
negro, &c.
to inter-
marry with
white per-
sons, &c.

SEC. 6. *And,* further, whereas many negro, Indians and mulatto slaves, are often found guilty of pilfering and stealing, and other misdemeanors, for which they either escape without punishment, or else the owners of such Indian, negroes or mulattoes, are put to considerable charge by bringing them to trial, and receiving their punishment for such crime before the county courts; *Be it enacted, by and with the authority, advice and consent aforesaid,* That whensoever any negro, Indian or mulatto slave, shall hereafter be charged with any pilfering or stealing, or any other crime or misdemeanors whereof the county court might have cognizance, it shall and may be

Slaves may
be punished
&c.