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JUDGES 21:25

EVERY MAN HIS OWN LAW

A commentary by the Virginia Commission on Constitutional Government concerning the unparalleled lawlessness in the streets of the Nation today. The Appendix contains excerpts from the Constitution of the United States; the Virginia Bill of Rights; and excerpts from the Code of Virginia. Specifically covered are several sections of the Code of Virginia dealing with suppression of and punishment for riotous acts.

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From time to time various publications of the Commission have been reprinted by others and given wide circulation in various parts of the country. May this meet with like favor.

The Virginia Commission on Constitutional Government

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FOREWORD

The publication program of this Commission has been devoted in large part to the reproduction of basic documents relating to the Constitution of the United States; its recent major volume was *The Reconstruction Amendments' Debates*, which includes all the debates in the Congress concerning the adoption of the 13th, 14th, and 15th Amendments. It seems necessary and appropriate, however, to devote one pamphlet to a protest against the current unparalleled lawlessness that has plagued many of our cities, and which, if continued, would destroy those very liberties which the rioters profess to cherish but seek to gain through lawless acts.

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The Virginia Commission on Constitutional Government

EVERY MAN HIS OWN LAW

Order is the first object of any government. Without it no other goal can be attained. History illustrates this emphatically. After the time of Joshua, for instance, the children of Israel were without law except as each tribe or faction conceived it. Anarchy reigned. This should serve as a warning to all people for it is only in a time of tranquillity that one can plan and build great institutions and assure to all the basic rights which are guaranteed by constitutions and bills of rights. If a man is free to disobey any law that he does not think is "good," to that extent he infringes upon the political rights of all men, and the principles upon which our government was founded are no longer assured.

Against Tyranny Man Rebels

No man living in human society can be his own law. If making his own law can be asserted by one man, it can be asserted by all. If the philosopher can make his own law, so can the fool. If the virtuous man can make his own law, so can those who spring from the gutter. Good laws must come from the genius of a whole people, based upon their traditions, their experience, and their current needs; and they must be capable of practical application. The wise lawmakers of the Athenians admitted that they did not give their citizens the best laws they were capable of giving, but the best laws that the citizens were capable of receiving.

Virtue does not of itself lead to wisdom, and no man may by the assertion of his own superior virtues or wisdom put himself above the laws commonly imposed upon and accepted by his fellow-citizens. To permit it, is to bring chaos. This must apply to all—preachers and philosophers, rich men and poor, the powerful and the weak. All must be alike before the law of the land. Even Jesus proclaimed that he came not to destroy, but to fulfill the

law, and this by teaching an exemplary religion, a new set of ethical principles. Meanwhile, he would render unto Caesar the things that were Caesar's.

No one has the right to obey only the "good" laws: all laws are good until they are amended or repealed, and must be enforced. That is not to say that they may not be criticized. Indeed, it is the duty of a citizen to seek change if he believes the law to be unwise or unfair, and he need not be respectful to the lawmakers in the process. But, until the change is made, he must conform, and not set himself up as an island of virtue, one above the law.

When the tyrant is at one's throat and there are no peaceable means of redress, rebellion is necessary and becomes a virtue. The legendary William Tell could reach Gessler only by an arrow; in the tyranny that was the France of Louis XVI, Mirabeau could attempt to save his country only by abandoning his class and joining the revolutionists; Iturbide and Madero had to take up arms if Mexico was to be liberated; Bolivar and San Martin had only that recourse against Spain; in Haiti a Toussaint L'Ouverture had no remedy against France but through force; Lenin and Stalin found revolution the only escape from czardom, even though they were to impose a worse tyranny of their own; Washington had to take up arms when no political solution was available. These men became heroes by rebelling—sometimes heroes even to their enemies: today Washington's statue stands in Trafalgar Square. These men, and many more who could be named in other times and other countries, had no peaceful means of achieving liberty. But in an open society, where all men are free to express themselves and select their governors and legislators, such rebellions are criminal.

But an Open Society Demands Peaceful Methods

And America is an open society, where everyone's views may be freely expressed and fully asserted at the

ballot box. The more extreme a man's views, the more certain he is of attention from press, radio, and television: the reporter follows him everywhere; the announcer shoves the microphone to his open mouth; the photographer puts his face on the front page of newspaper and magazine. He has a full hearing, even when advocating subversion of the Constitution, the killing of people with whom he disagrees, and the burning and looting of their property. The reporters give his meetings full coverage except when excluded, which is usual when subversives gang together. London's Hyde Park is set aside for free expression by cranks and splinter groups; in America, Hyde Parks are everywhere.

The ballot box is secret and is made accessible to those who have no property qualifications whatsoever and pay no taxes of any kind; and to those who cannot even read the comics. The most ignorant now has the same voice as the philosopher—often much greater because of the weight of minorities in key states in presidential elections.

In all history there has never been a country comprising over 3,600,000 square miles and 200,000,000 people that was as fully responsive to the popular will as expressed in the voting booth, whose verdict, even after the bitterest of election campaigns, America accepts. Polk, Garfield, and Kennedy received barely more than 50% of the vote, Kennedy winning by the skin of his teeth. Cleveland won by less than 51% in his first election and lost in the second in the electoral college after winning the popular vote; Hayes lost the popular vote but won in the electoral college by the margin of one; Wilson was elected first by a plurality only, and was reelected by capturing California by a margin of only four thousand. In all these cases, after bitter campaigning, the voters acquiesced: they had had their say and lost and did not turn to sniping, looting, and arson.

In a free society laws can be changed when the majority is convinced that they should be. When the people are aroused, no one can stand in their way: public officials are but ships on a great heaving ocean when the electorate is aroused. Daily, presidents, governors, mayors, Congressmen, avidly search the newspapers seeking the public's expression in the form of opinion polls. City ordinances, State statutes, acts of the Congress are quickly changed when the public demands. Before Pearl Harbor some Congressmen literally stood on their chairs to denounce the fortification of Guam and the creation of a two-ocean navy; after the sneak attack, when people demanded action, those same Congressmen immediately voted billions in gold and were impatient when it could not be turned at once into iron by a sort of inverted alchemy. And today we are in the habit, like a flabby people, of voting money as the cure-all for our ills, when the remedy is to be found in a baser metal and the application of force, upon which all government must in the end depend if it is to endure. Indeed, the will of the people can change the Constitution, too, and that quickly, when they are aroused: when fed up with the curse of the open saloon, the people put Prohibition into the Constitution in twelve short months; when they learned that bootlegging had brought disrespect for all law, they kicked Prohibition out of the Constitution in only nine months. In an open society the people rule; they cannot be denied. Through peaceful political process, not violence, their will is made law.

Mobbery Is Violence—Not Peace

Every right that a man enjoys carries with it a correlative duty to observe the rights of others. We hear on every hand men proclaiming blatantly their rights, without seeming to realize that duties go hand in hand with them. The cries are loudest from those trouble-makers who are dedicated to the destruction of our Constitution

and all that it stands for, yet, when caught red-handed, loudly assert the immunities and privileges which it assures.

The American people are long-suffering and will tolerate repeated abuses; but a time comes when they rise in wrath to stamp them out. When they do, no minority group can resist them, no matter what means it employs. There are many who already believe that our institutions, which grew out of a long Anglo-Saxon tradition and experience, are too generous to wrong-doers and that there are too many in our midst who have no regard for constitutions and should not be given their protection. But should that view prevail, should we reach a point where constitutional guarantees are suspended, we would be heading down the road to dictatorship under which all men would lose their freedoms. It has happened repeatedly in the history of mankind. We are not immune. Surely, we must find our remedy against lawlessness within our present constitutional system, and this can be done if those in political office will invoke in all cases, and promptly, the laws when mobs would tread upon them.

The mob pattern that has developed in cities across the country is substantially this: (1) a policeman (white or colored) attempts to arrest a person charged with some criminal offense; (2) a mob forms to rescue the prisoner from police "brutality," in the process beating up the police officer, or chasing him away, and overturning his car, setting it on fire; (3) the mob bashes in the storefronts and seizes all the whisky and transistor radios in sight; or, if the police are held at bay or are ordered away, then it helps itself to heavier booty such as television sets, in color, some of it being hauled away by laughing looters in Cadillacs; (4) finally comes the burning and the sniping. These acts are not the assertions of rights; they are not freedom of speech, but license in action. They are the inflictions of gross wrongs upon in-

nocent people. They are insurrections against government. And it is no longer a matter of race, because some white hoodlums join in the loot, and the property taken and destroyed belongs to Negroes as well as to whites. It is the attack of the lowest of our citizens against any who may have achieved some measure of economic success.

What We Must Do

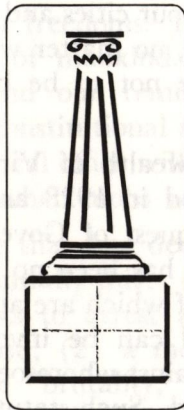
The politician who seeks the mob's vote responds by calling for huge appropriations to wipe out slums and abolish poverty. But poverty is a relative term; there will always be people who are poorer than others. Compared with China, India, Egypt, and many other countries we do not know what poverty is. And it will take years to wipe out all slums, even if that is possible, and no matter how many billions we spend. Meantime, the mobs march and make shambles of our cities and mockery of our laws. They must be stopped, no matter what force may be required. Criminals are not to be bribed into good behavior.

Our own Commonwealth of Virginia adopted a riot act in early times, and in 1928 an "anti-lynching" bill was passed at the request of Governor Harry F. Byrd. Since that time, there has been no lynching in Virginia. But both acts, copies of which are appended, are directed against all mobs, and can be invoked no matter who constitutes them or against whomsoever their wrath is directed, white or colored. Such statutes, when enforced by fearless men who remember their pledges of office, assure peaceful citizens order and tranquillity, and the enjoyment of those basic rights for which our fathers died.

It is to our shame that police officers have been ordered to shoot only in self-defense while mobs run wild, committing every excess. Police departments were not organized for the purpose of protecting their own members. They were created to protect the public, to go in after

the criminal and bring him to justice. If they are inadequate to quell insurrection, and if National Guard units may be too thin to put down several mobs at the same time, then we must organize, arm, and train home guard units in all our cities, composed of law-abiding citizens of both races.

Mobbery has no place in free America. It must be destroyed.



Appendix

AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

[AMENDMENT I]

[Freedom of Religion, of Speech, and of the Press]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

[AMENDMENT II]

[Right to Keep and Bear Arms]

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

[AMENDMENT III]

[Quartering of Soldiers]

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

[AMENDMENT IV]

[Security from Unwarranted Search and Seizure]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

[AMENDMENT V]

[Rights of Accused in Criminal Proceedings]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

[AMENDMENT VI]

[Right to Speedy Trial, Witnesses, etc.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

[AMENDMENT VII]

[Trial by Jury in Civil Cases]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

[AMENDMENT VIII]

[Bails, Fines, Punishments]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[AMENDMENT IX]

[Reservation of Rights of the People]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

[AMENDMENT X]

[Powers Reserved to States or People]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

* * * *

[AMENDMENT XIII]

Section 1.

[Abolition of Slavery]

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

[Power to Enforce this Article]

Congress shall have power to enforce this article by appropriate legislation.

[AMENDMENT XIV]

Section 1.

[Citizenship Rights Not to Be Abridged by States]

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

* * * *

[AMENDMENT XV]

Section 1.

[Negro Suffrage]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

Section 2.

[Power to Enforce This Article]

The Congress shall have power to enforce this article by appropriate legislation.

* * * *

[AMENDMENT XIX]

[Woman Suffrage]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

CONSTITUTION OF VIRGINIA

A DECLARATION OF RIGHTS *made by the good people of Virginia in the exercise of their sovereign powers, which rights do pertain to them and their posterity, as the basis and foundation of government.*

§1. Equality and rights of men.—That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

§2. People the source of power.—That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them.

§3. Government instituted for common benefit.—That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most effectually against the danger of maladministration; and whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter or abolish it, in such manner as shall be judged most conducive to the public weal.

§4. No man entitled to exclusive emoluments or privileges; offices not to be hereditary.—That no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which not being descendible, neither ought the offices of magistrate, legislator or judge to be hereditary.

§5. Legislative, executive and judicial departments of State should be separate; elections should be periodical.—That the legislative, executive and judicial departments of the State should be separate and distinct; and that the members thereof may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by regular elections, in which all or part of the former shall be again eligible, or ineligible, as the laws may direct.

§6. Suffrage; taxation; private property for public uses; consent of governed.—That all elections ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed, or deprived of, or damaged in, their property for public uses, without their own consent, or that of their representatives duly elected, or bound by any law to which they have not, in like manner, assented for the public good.

§7. Laws should not be suspended.—That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

§8. Concerning criminal prosecutions generally.—That in criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his peers; nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

Laws may be enacted providing for the trial of offenses not felonious by a justice of the peace or other inferior tribunal without a jury, preserving the right of the accused to an appeal to and a trial by jury in some court of record having original criminal jurisdiction. Laws may also provide for juries consisting of less than twelve, but not less than five, for the trial of offenses not felonious, and may classify such cases, and prescribe the number of jurors for each class.

In criminal cases, the accused may plead guilty; and, if the accused plead not guilty, with his consent and the concurrence of the Commonwealth's attorney and of the court entered of record, he may be tried by a smaller number of jurors, or waive a jury. In case of such waiver, or plea of guilty, the court shall try the case.

§9. Excessive bail or fines and cruel and unusual punishments prohibited.—That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

§10. General warrants of search or seizure prohibited.—That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

§11. No person to be deprived of property without due process of law; trial by jury to be held sacred.—That no person shall be deprived of his property without due process of law; and in controversies respecting property, and in suits between man and man, trial by jury is preferable to any other, and ought to be held sacred. The General Assembly may limit the number of jurors for civil cases in courts of record to not less than five in cases cognizable by justices of the peace, or to not less than seven in cases not so cognizable.

§12. Freedom of the press and of speech.—That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments; and any citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right.

§13. Militia the proper defense of a free State; standing armies should be avoided; military should be subordinate to civil power.—That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural and safe defense of a free State, that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

§14. Government should be uniform.—That the people have a right to uniform government and, therefore, that no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof.

§15. Qualities necessary to preservation of free government.—That no free government, or the blessings of liberty can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

§16. Religious freedom.—That religion or the duty which we owe to our creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience and that it is the mutual duty of all to practice Christian forbearance, love and charity towards each other.

§17. Construction of the bill of rights.—The rights enumerated in this bill of rights shall not be construed to limit other rights of the people not therein expressed.

The Bill of Rights drafted in the Virginia Convention of 1776 is a landmark in the history of constitutional government and has served as the model for other states and democratic countries.

FROM THE CODE OF VIRGINIA

Riots, etc.; Disorderly Conduct.

§18.1-247. Suppression of riots.—All judges and justices of the peace may suppress riots, routs, and unlawful assemblies within their jurisdiction. And it shall be the duty of each of them to go among, or as near as may be with safety to, persons riotously, tumultuously, or unlawfully assembled, and in the name of the law command them to disperse; and if they shall not thereupon immediately and peacefully disperse, such judge or justice of the peace giving the command, and any other present, shall command the assistance of all persons present, and of the sheriff or sergeant of the county or corporation, with his posse, if need be, in arresting and securing those so assembled. If any person present, on being required to give his assistance depart or fail to obey, he shall be deemed a rioter.

§18.1-248. Persons arrested therefor to be committed on failure to give bail.—If a person be arrested for a riot, rout, or unlawful assembly, the judge or justice of the peace ordering the arrest, or any other justice, shall commit him to jail, unless he shall enter into recognizance, with sufficient surety, to appear before the court having jurisdiction of the offense, at its next term, to answer therefor, and in the meantime to be of good behavior and keep the peace.

§18.1-249. Judge or justice failing in his duty; how punished.—If any judge or justice of the peace have notice of a riotous, tumultuous, or unlawful assembly, in the county or corporation in which he resides, and fail to proceed immediately to the place of such assembly, or as near as he may safely, or fail to exercise his authority for suppressing it and arresting the offenders, he may be fined not exceeding one hundred dollars.

§18.1-250. If persons disobey order of judge or justice to disperse, he may require assistance.—If any person, en-

gaged in such assembly, being commanded as aforesaid to disperse, fail to do so without delay, any such judge or justice of the peace may require the aid of a sufficient number of persons, in arms or otherwise, and proceed, in such manner as he may deem expedient, to disperse and suppress such assembly, and arrest and secure those engaged in it.

§18.1-251. Death of person during riot.—If, by any means taken under authority of this chapter to disperse any such assembly, or arrest and secure those engaged in it, any person present, as spectator or otherwise, be killed or wounded, any judge or justice of the peace exercising such authority, and every one acting under his order, shall be held guiltless; and if the judge or justice, or any person acting under the order of either of them, be killed or wounded in taking such means, or by the rioters, all persons engaged in such assembly shall be deemed guilty of such killing or wounding.

§18.1-252. Punishment of rioters.—If any rioter, or person unlawfully or tumultuously assembled, pull down or destroy, in whole or in part, any dwelling house, or assist therein, or shall in the nighttime stone the same in a manner calculated to terrorize the inmates, or assist therein, he shall be confined in the penitentiary not less than two nor more than five years; and though no such house be so injured or stoned, every rioter, and every person unlawfully or tumultuously assembled, shall be deemed guilty of a misdemeanor.

§18.1-253. Riotous or disorderly conduct on public conveyance a misdemeanor.—If any person, whether a passenger or not, shall, while in or on any public conveyance behave in a riotous or disorderly manner, he shall be guilty of a misdemeanor. The agent or employees in charge of such public conveyance may require such person to discontinue his riotous or disorderly conduct, and if he refuses to do so may eject him, with the aid, if necessary,

of any other persons who may be called upon for the purpose.

§18.1-254. Riotous or disorderly conduct in other public places; disturbance in public conveyance; local ordinances.—If any person behaves in a riotous or disorderly manner in any street, highway, public building, or any other public place, other than those mentioned in the preceding section, or causes any unnecessary disturbance in or on any public conveyance, by running through it, climbing through windows or upon the seats, failing to move to another seat when lawfully requested to so move by the operator, or otherwise annoying passengers or employees therein, he shall be guilty of a misdemeanor.

Cities, towns and counties are hereby authorized and empowered to adopt ordinances or resolutions prohibiting and punishing the above acts, or any of them, when committed in such cities, towns, or counties, and such ordinances or resolutions shall provide the same punishment for a violation thereof as is provided by this section, anything in the charters of such cities or towns to the contrary notwithstanding. All fines imposed for the violation of such ordinances or resolutions shall be paid to and retained by such cities, towns and counties, and the Commonwealth shall not be chargeable with any costs in connection with any prosecution for the violation of any such ordinances or resolutions.

FROM THE CODE OF VIRGINIA

Anti-Lynching Act

§18.1-27. Mob defined.—Any collection of people, assembled for the purpose and with the intention of committing an assault or a battery upon any person and without authority of law, shall be deemed a 'mob.'

§18.1-28. Lynching defined.—Any act of violence by a mob upon the body of any person, which shall result in the death of such person, shall constitute a 'lynching.'

§18.1-29. Lynching deemed murder.—Every lynching shall be deemed murder. Any and every person composing a mob and any and every accessory thereto, by which any person is lynched, shall be guilty of murder, and upon conviction, shall be punished as provided in article 1 (§18.1-21 et seq.) of this chapter.

§18.1-30. Shooting, stabbing, etc., with intent to maim, kill, etc., by mob.—Any and every person composing a mob which shall maliciously or unlawfully shoot, stab, cut or wound any person, or by any means cause him bodily injury with intent to maim, disable, disfigure or kill him, shall be confined in the penitentiary for not less than one nor more than twenty years.

§18.1-31. Assault or battery by mob.—Any and every person composing a mob which shall commit a simple assault or battery shall be guilty of a misdemeanor.

§18.1-32. Apprehension and prosecution of participants in a lynching.—The attorney for the Commonwealth of any county or city in which a lynching may occur shall promptly and diligently endeavor to ascertain the identity of the persons who in any way participated therein, or who composed the mob which perpetrated the same, and have them apprehended, and shall promptly proceed with the prosecution of any and all persons so found; and to the end that such offenders may not escape

proper punishment, such attorney for the Commonwealth may be assisted in all such endeavors and prosecutions by the Attorney General, or other prosecutors designated by the Governor for the purpose; and the Governor may have full authority to spend such sums as he may deem necessary for the purpose of seeking out the identity, and apprehending the members of such mob.

§18.1-33. Civil liability for lynching.—No provision of this article shall be construed to relieve any member of a mob from civil liability to the personal representative of the victim of a lynching.

§18.1-34. Persons suffering death from mob attempting to lynch another person.—Every person suffering death from a mob attempting to lynch another person shall come within the provisions of this article, and his personal representative shall be entitled to relief in the same manner and to the same extent as if he were the originally intended victim of such mob.

§18.1-35. Jurisdiction.—Jurisdiction of all actions and prosecutions under any of the provisions of this article shall be in the circuit court of the county, or corporation court of the city, wherein a lynching may occur, or of the county or city from which the person lynched may have been taken, as aforesaid.



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EVERY MAN DID
THAT WHICH WAS RIGHT
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