



Slavery, Lynching, and the Era of Public Hangings (1619-1910)

By CDPL Staff

Capital punishment arrived in the colony of North Carolina as part of English common law. Even misdemeanors warranted harsh corporal punishment and a long list of felonies qualified for the death penalty. People were executed not only for murder but also rape, theft, arson, and assault.

White colonists quickly began using this “sanguinary code,” as the British called it, to enforce the institution of slavery. Colonial lawmakers created laws that applied only to the enslaved, and special courts, run by enslavers, ordered executions. For a time, the law even provided monetary compensation to enslavers whose chattel had been executed.

According to death penalty historian Seth Kotch, in less than 50 years during the 1700s, North Carolina executed more than a hundred enslaved people. Meanwhile, the law empowered whites to punish their human “property” however they saw fit, while bands of white men patrolled for runaways.

In the century following American independence, many Northern states abolished the death penalty. But Southern states, focused on maintaining slavery, retained and expanded harshly punitive criminal codes. In antebellum North Carolina, people could be executed for helping an enslaved person escape or joining an anti-slavery rebellion, among many other things.

Emancipation and Reconstruction offered brief hope that African Americans would be allowed full citizenship. But after the federal government withdrew its protection, white supremacists seized political power using mob violence, lynchings, and the death penalty. In fact, lynchings and executions were often nearly indistinguishable.

Most lynching victims were Black, as were most of those executed. Lynchings were often inflicted in response to transgressions of the racial order. Similarly, executions were conducted almost exclusively as punishment for crimes against white people. And even when the accused escaped the lynch mob, he was likely to be tried swiftly by a jury composed of local white men and executed publicly by a white sheriff.

Between 1865 and 1910, North Carolina executed 160 people, and at least 119 of them were African American. Another 14 were listed as race unknown.