

§ 14-181. **Miscegenation.**—All marriages between a white person and a negro, or between a white person and a person of negro descent to the third generation inclusive, are forever prohibited, and shall be void. Any person violating this section shall be guilty of an infamous crime, and shall be punished by imprisonment in the county jail or State's prison for not less than four months nor more than ten years, and may also be fined, in the discretion of the court. (Const., art. 14, s. 8; 1834, c. 24; 1838-9, c. 24; R. C., c. 68, s. 7; Code, s. 1084; Rev., s. 3369; C. S., s. 4340.)

**Editor's Note.**—Under the Act of 1838-9, ch. 24, declaring void all marriages between white persons and free negroes and persons of color, all marriages between white persons and Indians were void, if within third degree, and any violation thereof was

punishable by indictment for fornication. *State v. Melton*, 44 N. C. 49 (1852).

The law has not been affected by the changes in the State or federal Constitution. See *State v. Puitt*, 94 N. C. 709 (1886).