

CHAPTER CXLI.

AN ACT FOR THE BETTER IMPROVING A GOOD CORRESPONDENCE
WITH THE INDIANS.

Whereas it is of great importance to the peace and welfare of the inhabitants of all these the Queen's dominions that a friendship be cultivated between her subjects and the native Indians, the first possessors of these lands, and that they may not only be strengthened and confirmed in the interest of the Crown of England and alienated from that of our enemies, but also be induced as much as may be by a kind and obliging treatment to embrace the Christian religion:

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That if any person shall kill, wound, beat or in any manner abuse any Indian or Indians inhabiting in this province, or that being at peace with us comes from any of the neighboring provinces or colonies upon lawful business, such person shall be subject to the same penalties and punishments as he should or ought to be if the same had been done to a natural-born subject of England; and shall, over and above, upon conviction be fined at the discretion of the justices before whom such conviction is made, in any sum not exceeding five pounds, for the support of government. And if any person shall, by such evidence either of Christians or Indians as may render it sufficiently credible, be convicted of spreading any such false news or stories as may alienate the minds of the Indians or any of them from this government, or create jealousies and fears in them concerning it, every such person shall forfeit the sum of twenty pounds, one-half thereof to the use aforesaid, and the other half to the informer, or him or them that shall sue for the same, and suffer six months' imprisonment; and upon their [*sic*] discharge shall

further give security for their good behavior, or otherwise continue prisoner till security [be] given.

[Section II.] And be it further enacted, That all necessary treaties shall be had and made with such Indians as aforesaid and their nations; and all necessary messages to them shall be ordered by the governor and council for the time being, at the charge of the public, [in] any sum not exceeding fifty pounds per annum to be defrayed upon a warrant from the governor and council by the provincial treasurer for the time being.

Provided always, That a just account of all such treaties and messages, with the charges thereof, shall be laid before the assembly of this province as often as they shall see cause to call for the same. And whereas great inconveniencies to this government may arise by suffering all manner of persons without distinction to traffic, correspond with or reside amongst the Indians:

[Section III.] Be it enacted by the authority aforesaid, That after the twenty-fifth day of March, one thousand seven hundred and six, no persons whatsoever shall go abroad into the woods or from their own plantations, except to an English market-town or place to trade with any Indians, unless to buy corn, venison, provision or skins for necessary clothing of themselves or families, without a license for their so doing from the governor, by order of the governor and council to be continued for one whole year; upon the penalty of forfeiting all the goods carried out or brought home by them, and three months' imprisonment, one-half of the said goods to the informer, and the other half for the support of government.

Provided always, That no natural-born subject of the Crown of England shall be denied such a license as aforesaid, upon giving good security that they [*sic*] will honestly and truly trade with the Indians, and observe such general rules and orders as the governor and council shall from time to time think fit to make for the better regulating of the Indian trade, and shall pay for such license the sum of twenty shillings and no more.

Provided also, That such Indian traders may sell or dispose of their skins, furs or commodities bought of the Indians to any

person or persons within this province, but shall not carry any such commodities out of the province for sale.

And further that this act shall be and continue in force for the term of three years and no longer.

Passed January 12, 1705-6. Allowed to become a law by lapse of time in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, and the Act of Assembly passed February 28, 1710-11, Chapter 177.

CHAPTER CXLII.

AN ACT ABOUT ATTACHMENTS.

Whereas the laws of this government have hitherto been deficient in respect of attachments (so that the effects of persons absenting are not equally liable with those of persons dwelling upon the spot, to make restitution for debts contracted or owing within this province) to the great injury of the inhabitants thereof and encouragement of such unworthy persons as frequently by absconding make an advantage of the defect aforesaid, to prevent which inconveniency:

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That the justices of the respective county courts within this province shall, and are hereby empowered to grant writs of attachment; which attachments so granted shall be duly served by the respective sheriffs or coroners, as the case may require, upon the goods and chattels of such person or persons against whom the same shall be awarded, in whose hands or possession the same shall be found, returnable to the next succeeding court respectively, where the party may proceed to trial, and shall have judgment granted the third court after the effects are seized.