

effects are claimed by their employers, or others beyond the seas, whereby it falls out that the inhabitants who furnished the said persons with goods, suitable for returns, or otherwise gave them credit, are liable to be defrauded or deprived of their just debts; for prevention whereof, as well as to give remedy in the premises, and in such like cases:

[Section I.] Be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania, 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 all debts which are or shall be contracted within this province, shall be preferred before all debts of the same nature and dignity which are or shall be contracted out of this province; and no debt which is or shall be due by judgment or recognizance, recovered or acknowledged, or by bond or specialty made out of this province, for debts not contracted in this province, shall be preferred to debts of the same nature which are or shall be contracted within the said province. And that no action or suit now or hereafter commenced, for any debt contracted, or *assumpsit* made within this province, shall be stayed upon the allegation or pretense of a foreign debt of a higher nature, unless notice be first given by action entered for such foreign debt, in some court of record within this province.

Passed February 28, 1710-11. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II.

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## CHAPTER CLXXVII.

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### 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 therefore enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief, of the Province of Pennsylvania, etc., 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 of colonies upon lawful business, such person shall be subject to the same penalties and punishment as he or they should or ought to be if the same had been done to a natural-born subject of Great Britain; and if any person shall by such evidence, either of Christians or Indians, as may render it sufficiently credible to the court and jury, be convicted of spreading any false news or reports that may tend to alienate the minds of the Indians or any of them from this government or create jealousies or fears in them concerning it, every such person being duly convicted thereof shall forfeit any sum not exceeding twenty pounds, one-half thereof to the use of this government and the other half to the informer or him or them that shall sue for the same, and suffer imprisonment at the court's discretion not exceeding six months, and upon their discharge shall give security for their good behavior.

[Section II.] And be it further enacted, That all necessary treaties shall be held and made with the Indians as aforesaid and their nations, and messages to them ordered by the governor and council for the time being at the public charge of this province in any sum not exceeding fifty pounds per annum, to be defrayed by an order of government and council to the provincial treasurer for the time being, who is hereby required forthwith to pay the same out of the first money that comes to his hands, a just account of which 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 happen by suffering all persons without distinction to traffic 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 eleven, no person whatsoever shall go abroad into the woods or from their own plantation except to an English market town or place to trade with any Indians, unless to buy corn, venison or any such like provision or skins for necessary clothing of their families, without a license first obtained for their so doing from the governor by order of governor and council to be continued for one whole year and no more, upon 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 to the support of the government.

Provided always, That no natural subject of the Crown of Great Britain or naturalized in Great Britain or this government shall be denied such license as aforesaid upon giving good security that they will honestly and truly trade with the Indians and observe such rules and orders as the governor and council shall from time to time think fit to make for the better regulating the Indian trade, and shall pay for such license the sums of three pounds.

Provided also, That such Indian trader may sell or dispose of their [sic] skins, furs and commodities bought of the Indians to any person or persons within this government, but shall not carry any such commodities out of the same for sale thereof.

And whereas it is too evident both by practice and complaint of the Indians, that they are much impoverished and abused by the forestalling traders who frequently go far up into the country to meet the Indians upon their return from hunting, where they purchase their furs and skins with rum at under rates to the great injury of them and their families:

[Section IV.] Be it therefore enacted, That no persons shall trade with the Indians but in the respective towns or places of abode where they reside, upon the forfeiture of all such goods, one-half to the proprietary and governor for the support of gov-

ernment and the other half to him that shall sue for the same, and further that this act shall be and continue in force for the term of three years and no longer.

Passed February 28, 1710-11. Confirmed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II. Expired. See the Act of Assembly passed May 28, 1715, Chapter 210.

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## CHAPTER CLXXVIII.

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### AN ACT FOR REGULATING OF PARTY WALLS AND BUILDINGS IN PHILADELPHIA.

Whereas there are divers inconveniences, irregularities and controversies prejudicial to many of the inhabitants of Philadelphia, about party walls, and for want of due care in laying the foundations of buildings regular in the said city; for the preventing and remedying whereof:

[Section I.] Be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary-in-Chief of the Province of Pennsylvania, 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 no person or persons within the city of Philadelphia, builder or builders shall hereafter lay the foundation of any building, or cause [the same] to be laid, before he or they have the advice and concurrence of the surveyors or regulators which the mayor, aldermen and commonalty of the said city are hereby empowered, from time to time, to nominate and choose two or more discreet persons, understanding the art of building, and shall qualify them according to law, for surveyors or regulators in the same, who shall take care the foundations be set out and laid regular, and that party walls be equally set, one-half upon one man's ground and the other half upon the other man's ground, and the first builder to be re-imbursed by him that builds next for one moiety of the charge of the said wall, or so much thereof as he shall use, before the second building shall be begun.