

dence in any court or before any judicial authority in this province.

Passed May 28, 1715. Repealed by the Lords Justices in Council July 21, 1719. See Appendix IV, Section II.

CHAPTER CCX.

AN ACT FOR CONTINUING A FRIENDLY CORRESPONDENCE WITH THE INDIANS.

Whereas the maintaining and cultivating of a friendly correspondence and preserving a good understanding with the native Indians, the first possessors of these lands, hath been found by continued experience to be great means of securing this province in peace and tranquillity (when many of the adjacent provinces have fallen under the calamities of war and cruelty from their neighboring Indians). In order whereunto, and for preventing abuses and indirect dealing with them:

[Section I.] Be it enacted by Charles Gookin, Esquire, by the royal approbation Lieutenant-Governor, under William Penn, Esquire, 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 charges of necessary treaties with the Indians not exceeding fifty pounds per annum, shall, as heretofore, be defrayed by order of the governor and council to the provincial treasurer, for the time being, who shall from time to time pay the same out of the first money that shall come to his hands, and keep an account thereof to be laid before the assembly when called for, due credit being given, from time to time, for all presents received from the Indians.

[Section II.] And be it further enacted, That if any person or persons whatsoever shall rob, kill, wound, beat or abuse any Indian at peace with this government, or who shall come on

trade or business into this province, such person or persons so offending shall be subject and liable to the same penalties or punishments as if the said offense had been committed against any natural-born subject of Great Britain. And where any Indian shall so offend against any of the inhabitants of this province, he shall be immediately apprehended, and the party grieved shall exhibit his complaint to the governor, who by the advice of his council [shall] use proper methods to bring such offender to condign punishment.

And [if] any person or persons whatsoever shall be legally convicted (on the evidence of Christians or credible Indians, to the court and jury) of spreading false news tending to alienate the affections of the Indians from this government, or to create fears and jealousies among them, such person or persons so offending, and being thereof convict, as aforesaid, shall be fined in any sum not exceeding twenty pounds money of this province, one-half to the governor towards the support of government, and the other half to him or them that will sue for the same in any court of record of this province; and shall suffer imprisonment at the court's discretion, not exceeding six months, and when discharged, give security for his or their good behavior, if required.

[Section III.] And be it further enacted, That no person or persons whatsoever shall, after the twenty-fifth day of June, one thousand seven hundred and fifteen, go forth abroad into the woods to trade with the Indians [for] any commodity whatsoever, without being first recommended to the governor for (his license) by the justices of some or one of the county courts of quarter-sessions of this province. And that none shall be so licensed without having first given security in the secretary's office, by one or more substantial freeholders of the same county, to be bound with them to the proprietary, his heirs and assigns, by bond, in any sum not exceeding fifty pounds, conditioned that they will honestly and truly trade with the Indians and dispose of their skins, furs or other commodities within this province, and observe the laws thereof in that case made and provided. And that no license shall be granted without such recommendation as aforesaid, nor de-

nied having the same. And the governor shall receive for every such license forty shillings, and no more, and the other charges thereof the same as in the case of public houses, which licenses shall be renewed yearly, upon the same recommendation, unless the court, who granted it, see cause to retract it, and notify the same to the governor.

And if any person or persons within this province shall directly or indirectly trade or deal with the Indians for any quantity of goods or commodities whatsoever, without such recommendation and license so had and obtained as aforesaid, and be legally thereof convicted, as aforesaid, such person or persons so offending shall forfeit the goods so traded with or the value thereof, to be recovered by bill, plaint or information, in any court of record in this province, wherein no essoin, protection or wager of law, nor any more than one imparlance shall be allowed.

Provided always, That nothing in this act contained shall extend or be construed to hinder any freeholder [inhabiting] in this province, from going abroad into the woods, from their own plantations or places of abode, to buy corn, venison, skins, furs or any other commodities for their own use, and the necessary clothing of their families and not for merchandise or from trading with the Indians at their own houses, plantations, market towns or places settled by the inhabitants of this province for any quantity of goods or commodities, or for any use whatsoever.

Provided also, That no part of the money allowed by this act, for defraying the charge of Indian treaties as aforesaid, shall be applied towards paying the Indians for their rights or claims to any lands in this province; but that the same shall be defrayed by the proprietary, his heirs and assigns, or by his or their commissioners, trustees or agents for the time being.

[Section IV.] And be it further enacted, That no person whatsoever shall presume to trade with the Indians, but in their respective towns or places of abode where they reside (except as aforesaid) upon the forfeiture of all such goods or commodities, one-half to the [proprietary] and governor, for

support of government, and the other [to him or them] that shall sue for the same, to be recovered as aforesaid.

And that this act continue in force three years and no longer.

Passed May 28, 1715. Expired before being considered by the Crown. See Appendix IV, Section II.

CHAPTER CCXI.

AN ACT FOR BETTER DETERMINING OF DEBTS AND DEMANDS UNDER FORTY SHILLINGS, AND FOR LAYING ASIDE THE TWO-WEEKS' COURT IN THE CITY OF PHILADELPHIA.

Whereas the several laws of this province for determining small debts, without formality of trial, were designed for the ease and conveniency of the subject; but complaint is made [by] many of the inhabitants of the city and county of Philadelphia that the manner of putting the same in execution by some of the said city magistrates and officers, proves very chargeable and inconvenient; for remedy whereof:

[Section I.] Be it enacted by Charles Gookin, Esquire, by the royal approbation Lieutenant-Governor, under William Penn, Esquire, 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 upon complaint made to any justice of the peace in this province against any person or persons, for any debt or demand under forty shillings, it shall and may be lawful for such justice, and he is hereby empowered and required, to issue forth his warrant, in the nature of a summons, *capias* or attachment, as the case may require, directed to the constable of the township or district where the defendant dwells or can be found, commanding him to bring or cause such defendant to come with the plaintiff, before him or the next justice forthwith. And when such justice hath heard the proofs and allegations of both parties (or some of them as will be present) he shall