

C H A P. XIII.

An ACT for preventing *Indians* disaffected to the *British* Interest in *America*, from coming into this Province as Spies, or on any other evil Design. *Lib. H.S. fol. 272.*

Passed 22^d
May 1756.

WHEREAS it is represented to this General Assembly, that *Indians*, not in Friendship or Alliance with his Majesty's Subjects, and especially some of those *Nanticoke Indians*, who some Years ago left their usual Place of Residence, and went to the Westward, have lately fixed Cabbins, under Pretence of Hunting in different Places of this Province, where they have behaved very insolently, and have even intimated that they have been active in some of the horrid Cruelties committed last Summer by the Savages on the Frontiers of the neighbouring Provinces: And as it is apprehended that no strange *Indian* would, at this Time of open War, come into this Province, unless with a View to get Information, and give Intelligence to our Enemies, or on some other ill Design; In order therefore, to discover any such who may be lurking about hereafter,

Preamble.

II. Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the several Constables of the respective Hundreds, wherein any *Indian* Town within this Province doth lay, shall, before the Twentieth Day of *June* next, and so Yearly and every Year, go to the *Indian* Town or Towns, within his Hundred, and require the Chief *Indian* or Great Man of the said Town, to give him an exact Account of the Names both *Indian* and *English*, Sexes, and Ages of all the *Indians*, belonging to the said Town; and the said Constable, from such Account, shall make a fair List, distinguishing each Sex and Age by different Columns; That is to say, Men, Women, Boys, and Girls, and their respective Ages; and the same shall deliver to the Clerk of the respective County, who shall enter the same among his Land Records without Fee or Reward. And if the Chief *Indian* or Great Man of the Town, shall, upon Application of the Constable, refuse or delay to give an Account as aforesaid, the Constable shall immediately inform the Chief Justice of the County wherein such Town shall lay, who shall issue his Warrant to the said Constable to take such Chief *Indian* or Great Man, and bring him before him to answer for such Refusal or Delay; and if the said *Indian* Chief or Great Man, shall not give the said Justice a satisfactory Reason for such Refusal or Delay, the said Justice is hereby required to commit such *Indian* Chief or Great Man to Prison, there, to remain until he shall give such Account, and pay the Fees arising on such Commitment.

Constables of
Hundreds
wherein any
Indian Town
lies, shall
take an Ac-
count annu-
ally of the
Indians there-
to belonging.

The Chief
Indian of such
Town refus-
ing to give
such Account,
may be taken
into Custody,
and commit-
ted to Prison.

III. And be it further Enacted, That when any *Indian* shall have Occasion to go from the Town to which he or she belongs, he or she shall apply to some Justice of the Peace of the County wherein such Town shall lay, for a Pass, who is hereby obliged to give one without Fee or Reward, wherein shall be expressed such *Indian's* Name, both *Indian* and *English*, and Age, the Town to which he or she belongs, and an accurate personal Description, to which Pass the County Clerk shall make the proper Certificate, and affix the County Seal, without Fee or Reward. And if any Person shall discover an *Indian*, without such Pass as aforesaid, Ten Miles distant from the Town to which he or she belongs, it shall and may be lawful for such Person to seize such *Indian*, and carry him or her before the next Justice of the Peace, who shall commit such *Indian* to Prison, unless he or she can make appear to what Town he or she properly belongs, there to remain until he or she can fully make appear the same; and when such *Indian* shall have made appear to such Justice that he or she does belong to some one Town in this Province, or is in Friendship and Alliance with his Majesty's Subjects of *America*, then the said Justice is hereby required to make out his Warrant to the Sheriff to discharge

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