

ACTS OF THE GOVERNMENT TOWARDS THE INDIANS AND SETTLERS.
– STRINGENT LAWS PASSED.

Having thus given a connected view of the Indian purchases, and some notices of the discontent occasioned by encroachments on the Indian lands, it is material to state the acts of the government, legislature and executive, to restrain those illegal proceedings and restore harmony between the province and the Indian tribes, and finally to show their operations upon a certain class of land titles.

The proprietors professed not to sell any lands beyond the boundaries of the purchases. If surveys were made over them, without their consent, they were illegal and void. To have departed from the principle, would have occasioned wars of the most fatal kind to the interests of the province, and would have been a violation of the most solemn engagements with the natives. The line of duty was therefore plain, and every moral and political obligation commanded them to pursue it.

By an act passed in 1700, (Chap. 30), it was enacted: “That if any person presume to buy any land of the natives, within the limits of this province and territories, without leave from the proprietaries thereof, every such bargain or purchase shall be void and of no effect.” To this act there was a supplement passed, February 14th, 1729-10. (Chap. 312.)

By an act passed February 3d, 1768, (Chap. 570) – after the preamble in these words: “Whereas, many disorderly people, in violation of his Majesty’s proclamation, have presumed to settle upon lands not yet purchased from the Indians, to their damage and great dissatisfaction, which may be attended with dangerous and fatal consequences to the peace and safety of this province,” it was enacted, “that if any person settled on this unpurchased lands, neglected or refused to remove from the same within thirty days after they were required so to do, by persons to be appointed for that purpose by the Governor, or by his proclamation, or being so removed, should return to such settlement, or the settlement of any other person, with or without a family to remain and settle on such lands, or if any person, after such notice, resided and settled on such lands, every such person, so neglecting or refusing to remove, or returning to settle as aforesaid, or should settle after the requisition or notice aforesaid, being legally convicted, *was to be punished with death without benefit of clergy.*”

“But this act was not to extend to persons then, or thereafter, settled on the main roads, or communications, leading through the province to *Fort Pitt*, under the approbation and permission of the commander-in-chief of his Majesty’s forces, &c., or in the neighborhood of *Fort Pitt*, under such permission, or to a settlement made by *George Croghan*, deputy superintendent of Indian affairs, under Sir William Johnson, on the Ohio, above the said fort.

“And if any person or persons, singly or in companies, presumed to enter on any such unpurchased lands, to make surveys thereof, mark or cut down trees thereon, and should be convicted thereof, was or were to be punished by a fine of fifty pounds and three months’ imprisonment.

This act was limited to one year and to the end of the next session of Assembly. On the 17th of February, 1768, an act was passed appropriating a sum of money to be applied to removing the discontent of the Indians, &c. (Chap. 571.)

And on the 18th of February, 1769, an act was passed with a similar preamble, “to punish by a fine of five hundred pounds and twelve months’ imprisonment, any person or persons who, singly or in companies, should presume to settle upon any lands within the boundaries of the province, not purchased of the Indians, or who should make or cause any survey to be made of any part thereof, or mark or cut down any trees thereon, with design to settle or appropriate the same to his own, or to the use of any other person,” &c.

This act, being without limitation, expired on the extinguishments of all the Indian titles.