

his majesty for a reimbursement of the charge arising in consequence of the intended expedition against Canada,—

Be it enacted,

[SECT. 12.] That the treasurer be and hereby is directed and empowered to apply so much of the money that shall arrive from Great Britain before the first day of June, *Anno Domini* one thousand seven hundred and sixty-two, as shall be necessary to discharge the notes to be by him given pursuant to this act; save, only, that nothing in this act shall alter the appropriation of twenty-eight thousand pounds out of said money pursuant to an act of this province, intituled “An Act empowering the province treasurer to borrow twenty-eight thousand pounds.”

Notes or securities given by the treasurer, to be paid out of such money as may be granted by parliament.

1757-58, chap. 30.

[SECT. 13.] And in case of the arrival of the money as aforesaid, and the whole of said notes being discharged thereby, then the clauses in this act providing for issuing a tax of one hundred thousand pounds and a tax of seventy thousand eight hundred and nine pounds thirteen shillings and fourpence be and hereby is declared void.

[SECT. 14.] And in case only part of said notes shall be discharged, then the treasurer shall not issue his warrants for assessing more than what shall be necessary for making up such deficiency, and shall issue his warrants, if need be, accordingly, for assessing such deficiency only. [*Passed June 15; published June 16.*]

CHAPTER 5.

AN ACT FOR GRANTING THE SUM OF THIRTEEN HUNDRED POUNDS, FOR THE SUPPORT OF HIS MAJESTY'S GOVERNOUR.

Be it enacted by the Governour, Council and House of Representatives,

That the sum of thirteen hundred pounds be and hereby is granted unto his most excellent majesty, to be paid out of the public treasury to his excellency Thomas Pownall, Esq., captain-general and governour-in-chief in and over his majesty's province of the Massachusetts Bay, to enable him to carry on the affairs of government. [*Passed June 15; published June 16.*]

CHAPTER 6.

AN ACT IN ADDITION TO THE SEVERAL ACTS FOR THE BETTER REGULATING THE INDIANS.

WHEREAS the act of this government, intituled “An Act in addition to the several acts for the better regulating the Indians,” is near expiring, and as said act has proved very beneficial to the Indians, and a further regulation is also necessary,—

Preamble.
1753-54, chap. 6.

Be it enacted by the Governour, Council and House of Representatives,

[SECT. 1.] That there be three proper persons appointed for the future by this court, near to every Indian plantation in this province, guardians to the said Indians in their respective plantations, who are hereby empowered, from and after the [23] [twenty-third] day of June, A. D. 1758, to take into their hands the said Indians lands, and allot to the several Indians of the several plantations such parts of the said lands and meadows as shall be sufficient for their particular improve-

Three proper persons to be appointed as guardians to the Indians in their respective plantations.

ment from time to time during the continuance of this act; and the remainder, if any there be, shall be let out by the guardians of the said respective plantations to suitable persons for a term not exceeding the continuance of this act.

[SECT. 2.] And such part of the income thereof as is necessary shall be applied for the support of such of the proprietors in their respective plantations as may be sick or unable to support themselves; and the surplusage thereof, if any there be, shall be distributed amongst them according to their respective rights or interest, for providing necessaries for themselves and families and for the payment of their just debts, at the discretion of their said guardians; and that the respective guardians aforesaid be hereby empowered and enabled, in their own names, and in their capacities as guardians, to bring forward and maintain any action or actions for any trespass or trespasses that may be committed on the said Indian land; and that any liberty or pretended liberty obtained from any Indian or Indians for cutting off any timber, wood or hay, milking pine-trees, carrying off any ore or grain, or planting or improving said lands, shall not be any bar to said guardians in their said action or actions: *provided*, that nothing in this act shall be understood to bar any person or persons from letting creatures run upon the said Indians' unimproved lands that lie common and contiguous to other towns or proprietors.

Proviso.

And be it further enacted,

Indians prohibited leasing or selling lands, &c.

[SECT. 3.] That from and after the [23] [twenty-third] day of June aforesaid, no Indian or Indians shall sell or lease out to any other Indian or Indians any of his or her lands without the consent of the guardians, or a major part of the guardians, of the Indians of the plantation wherein such lands do lye; and all sales or leases of land for any term or terms of years that shall, at any time hereafter during the continuance of this act, be made by any Indian or Indians to any other Indian or Indians, shall be utterly void and of none effect, unless the same be made by and with the licen[s][c]e of the respective guardians as aforesaid.

And be it further enacted,

No action to be brought against any Indian for debt, unless.

[SECT. 4.] That no action shall be brought against any of the said Indians for any debt hereafter to be by them contracted with any English persons for any sum whatsoever, unless the same be first examined and allowed by the court of general sessions of the peace for the county where such Indian or Indians live, or the respective guardians of such plantations where such Indian or Indians live, except specialties approbated according to the law of this province made in the fourth and fifth year of the reign of his majesty King George the First, intitled "An Act in addition to the act for preventing abuses to the Indians," made in the twelfth year of King William.

1700-1, chap. 9.

And be it further enacted,

Guardians to keep a fair account, &c.

[SECT. 5.] That the several guardians aforesaid shall keep a fair account of their proceedings in the abovesaid affair, to be by them laid before the general court from year to year, by said court to be adjusted and allowed of.

Limitation.

[SECT. 6.] This act to continue and be in force for the space of three years from said [23] [twenty-third] day of June, and from thence to the end of the next session of the general court, and no longer. [Passed June 15; published June 16.]