

Forfeitures,
how to be
disposed of.

[SECT. 7.] And all penalties and forfeitures arising by virtue of this act, or any clause therein, shall be disposed of in the manner following; viz^[1], one half to and for the use of this government, to be paid into the province treasury, and the other half to him or them that shall sue for the same in any of his majesty's inferior courts of common pleas, or before any justice of the peace when the said penalty doth not exceed the sum of forty shillings.

[SECT. 8.] This act to continue and be in force for the space of ten years, and no longer. [*Passed and published June 30.*]

CHAPTER 18.

AN ACT TO REVIVE AND CONTINUE AN ACT MADE IN THE FIFTH YEAR OF HIS PRESENT MAJESTY'S REIGN, INTITLED "AN ACT FOR ALLOWING NECESSARY SUPPLIES TO THE EASTERN INDIANS, AND FOR REGULATING TRADE WITH THEM, AND PREVENTING ABUSES THEREIN," WHICH IS NEAR EXPIRING.

Preamble.
1764-65, chap.
30.

WHEREAS the aforementioned act is found by experience very beneficial for regulating the trade with the eastern Indians,—

Be it therefore enacted by the Governor, Council and House of Representatives,

The act con-
tinued.

That an act, intitled "An Act for allowing necessary supplies to the eastern Indians, and for regulating trade with them, and for preventing abuses therein," made in the fifth year of his present majesty's reign, in all and every article and clause, matter and thing, be and hereby is revived, and shall be in force until the thirtieth day of June, which will be in the year of our Lord one thousand seven hundred and sixty-nine. [*Passed and published June 30.*]

NOTES.—But one session of the General Court was held this year. The House of Representatives of the previous year issued a circular letter to the sister houses of representatives, and of burgesses, in America, explaining the position of the House on the question of the relations of the colonies to Great Britain, respecting the authority of parliament, with the professed purpose of insuring harmonious action by the colonies in their assertion of their rights as against the encroachments of parliament and of the ministry. The Governor, at this session, acting under instructions from the Earl of Hillsborough, the newly appointed secretary of state for American affairs, demanded a rescission of the vote authorizing the circular, which being refused in the House, by a vote of 92 to 17, he, on the first day of July, in pursuance of his instructions, dissolved the Assembly, by proclamation, after having, the day before, prorogued it to the third of August.

All the acts of this year were printed; and the engrossments of all are preserved. No certificate for transmitting these acts has been found; but the letter of Secretary Oliver accompanying them, and bearing date August 31, 1768, was laid before the Lords of Trade on the 24th of October following.

No record of further action on these acts has been discovered except what appears in the note to chapter 5, *post*, and in the report of Richard Jackson, dated January 24, 1771, showing that chapter 13 had been referred to him by the Lords of Trade for his opinion thereon in point of law, and in the minutes of the Lords of Trade of January 30, 1771, showing that the draught of a new instruction to the Governor of the province was ordered to be prepared, upon consideration of Mr. Jackson's report. See note to 1769-70, chapter 1.

Chap. 1. This is the last instance of the passage of an act granting an allowance, from the province treasury, to a governor appointed by the Crown. The repeal of the Stamp Act had removed the grounds upon which it was proposed to grant salaries from the imperial treasury to the appointees of the Crown; and the annual grants by the province had continued, without interruption, until the close of Bernard's administration.—See note to 1765-66, chap. 1, *post*.

Bernard, by whose recall the command-in-chief devolved upon Hutchinson, being about to be absent from the province by the royal permission, and, as he claimed, with the prospect of returning, asked, during the first session of the Assembly, for the year 1769, for an allowance, as usual, which, according to his instructions, would, during his absence, be divided between himself and the Lieutenant-Gov-