

AN ACT *concerning the Kaskaskia Indians.*

Whereas a former law of this Legislature has been found insufficient to prevent evil disposed persons from selling and giving intoxicating drinks to the Kaskaskia Indians or from cheating and defrauding the said indians out of their property by pretended or real purchases and whereas the former practice is productive of disorder, and other pernicious consequences and the latter a violation of moral Justice and good policy. For remedy thereof,

SEC. 1. Be it enacted by the legislative council and house of Representatives and it is hereby enacted by the authority of the same That if any white person or free person of color either male or female shall hereafter without license from the Governor as superintendent of indian affairs within this Territory or from some sub-agent appointed by him either sell to give to any Kaskaskia Indian or any other indian residing with them any quantity of whiskey, gin, brandy, rum, cider or other intoxicating drink such person so offending shall forfeit and pay twenty dollars to be recovered upon warrant before any Justice of the peace who shall upon conviction of such offence issue execution returnable in thirty days against either the body or goods of such offender as may be required of the said Justice of the peace, and upon such execution there shall be no security whatever taken.

SEC. 2. If either of the offences stated in the above section, shall be committed by any negro or mullatto being the slave or servant of any person whatever, It shall be the duty of a Justice of the peace upon application to him made according to law to issue his warrant against such negro, or mullattoe and upon proof of the offences above mentioned or either of them having been committed by said negro or mullattoe, the Justices of the peace before whom such proof may be made shall, order him or her so offending to receive on his or her bare back if for the first offence fifteen lashes and for every subsequent offence of like kind double that number. Provided however that the said corporal punishment shall not be inflicted if the owner or any other person will in behalf of said negro or mullattoe pay the sum of twenty dollars for each offence respectively.

SEC. 3. That it shall not be lawful for any person whatever without license from the Governor or some sub-agent appointed by him to purchase or receive by gift or otherwise of any of the before mentioned indians, any horse mare gun Tommahawk, knife, Blanket Strouding, calico, saddle bridle, or any goods wares or merchandize

whatever, that all such sales and purchases, or gifts shall be considered as fraudulent on the part of the buyer or receiver, and that any white person or free person of colour whatever so buying or receiving any such articles of any one of those Indians shall be liable to pay a fine of twenty dollars to be recovered before a Justice of the peace who shall upon conviction of any such offender issue execution in like manner as is directed in the first section of this act, and the said offender shall restore the article or articles so bought or received & shall moreover be liable to a suit in the supreme court for the fraud of buying or receiving any such article as aforesaid whatever the amount or value thereof may be and in all cases of Judgment against him or her, he or she shall pay the costs.

SEC. 4. If either of the offences stated in the last preceding section of this act shall be committed by any negro or mullatto being the slave or servant of any other person, the said negro or mullatto so offending shall be subject to the same proceedings and punishment under the same conditions as are prescribed in the second section of this act, and the owner shall either cause said negro or mullatto to restore any article or articles so purchased, or received by him or her or said owner shall be liable in default thereof to the same proceedings as if such owner had actually himself or herself bought or received the said article or articles contrary to the intention of this law.

SEC. 5. In all the above cases and in all other cases of injuries done to the said indians it shall be lawful for the Governor of the Territory or any sub-agent appointed by him, to sue or warrant as the case may require in behalf of any such injured indian.

SEC. 6. All fines imposed by this law after deducting thereout all necessary expenses, shall be paid by the Governor or a subagent, to the injured indian or Indians

SEC. 7. It shall be the duty of all Justices of the peace, sheriffs and constables to aid and assist in the execution of this law according to their respective offices.

RISDON MOORE

Speaker of the House of Representatives

PIERRE MENARD

president of the Council

Approved Dec 22. 1814

NINIAN EDWARDS