

## CHAPTER 20.

AN ACT FOR RAISING, BY A LOTTERY, THE SUM OF SEVEN THOUSAND FIVE HUNDRED POUNDS, FOR THE SERVICE OF THIS PROVINCE IN THE PRESENT YEAR.

WHEREAS his majesty's subjects in this province have been at great charges in the year current, not only for the protection of the seacoast, but for the defence of the frontier of New England, and also for the protection of his majesty's province of Nova Scotia, and the inhabitants having already been subjected to a heavy tax on polls and estates the present year, and a debt still remaining which the representatives of the said province are desirous should be provided for in a manner the least burthensome to the inhabitants,—

*Be it therefore enacted by the Governo[u]r, Council and House of Representatives,*

[SECT. 1.] That it shall and may be lawful for any person or persons, inhabitants of this province, or any other of his majesty's subjects, or for[r]eigners, to adventure, advance and pay to the managers or directors hereinafter appointed, the sum of thirty shillings, or divers entire sums of thirty shillings, one-fifth thereof in bills of credit of this province, of the new teno[u]r, so called, or in the old teno[u]r bills, accounting four for one; the other four-fifths either in like bills, or in bills of credit of the other governments of New England, the currency of which are not prohibited by law. And every such adventurer, for every such sum of thirty shillings which he, she or they shall so advance, shall have such right, interest and lot in the lottery by this act allowed and established, as is hereinafter mentioned.

*And be it further enacted,*

[SECT. 2.] That Samuel Watts, John Quincy, James Bowdoin, Robert Hale and Thomas Hutchinson, esq[ui]r[s], or any three of them, shall be managers or directors for preparing and delivering out tickets, and to oversee the drawing of lots, and to order, do and perform such other matters and things as are hereafter, in and by this act, directed and appointed by such managers or directors to be done and performed; and that such managers and directors shall meet together, from time to time, for the execution of the powers and trusts in them reposed by this act; and they shall cause books to be prepared, in which every leaf shall be divided into three columns, and upon the innermost of said three columns, there shall be printed twenty-five thousand tickets, number[ed] one, two, three, and so on, progressively, till they arrive to the number of twenty-five thousand; and upon the middle column, in every of the said books, shall be printed twenty-five thousand tickets, of the same breadth and form, and number[ed] in like manner; and in the extreme column of the said books, there shall be printed a third rank or series of tickets, of the same number of those of the other two columns: which tickets shall severally be of an oblong figure, and, in the said books, shall be joined with oblique lines, flourishes or devices, in such manner as the said managers and directors, or the major part of them, shall think most safe and convenient, and that every ticket in the third or extreme column of the said books, shall have written or printed thereupon, besides the number of such ticket and the present year of our Lord, these words, "MASSACHUSETTS GOVERNMENT LOTTERY."

*And it is further enacted,*

[SECT. 3.] That the said managers and directors shall, upon payment of thirty shillings, as aforesaid, for a ticket, from any person or

Preamble.

Persons allowed to take out tickets.

Names of the managers or directors.

Number of tickets, and form.

How tickets are to be delivered.

persons adventuring in this lottery, cut out of the said book or books, so as to be put into his or their custody, through the said oblique lines, flourishes or devices, indentwise, one of the tickets in the said extreme columns, which shall be signed by one of the said managers or directors; and the ticket so cut off shall be delivered to such adventurer as aforesaid<sup>[a]</sup>.

*And be it further enacted,*

Tickets to be indented, rolled up, and put in boxes, &c.

[SECT. 4.] That the said managers and directors, or the major part of them, shall, in the presence of such of the adventurers as may attend, cause all the tickets in the middle column of the books aforesaid, to be cut off, indentwise, thro<sup>ugh</sup> the said oblique lines, flourishes or devices, and to be carefully roll'd up, and made fast with thread or silk, and to be put into a box to be prepared for that purpose, and to be mark<sup>e</sup>d with the letter "A," which is presently to be put into another strong box, and to be locked up with five different locks and keys,—one to be kept by each of the said managers and directors,—and sealed with their seals, until<sup>l</sup> the said tickets are to be drawn as is hereinafter mentioned; and that the tickets in the first or innermost columns of the said books, shall remain still in the books for discovering any mistake or fraud, if any should happen to be committed contrary to the true meaning of this act.

*And be it further enacted,*

Books to be prepared, and tickets printed therein.

[SECT. 5.] That the said managers, or the major part of them, shall also prepare, or cause to be prepared, other books, in which every leaf shall be divided or distinguished into two colums, and upon the innermost of those two colums there shall be printed twenty-five thousand tickets, and upon the outermost of the said two colums there shall be printed twenty-five thousand tickets, all which shall be of equal length and breadth, as near as may be,—which two colums in the said books shall be joined with some flourish or device through which the outermost ticket may be cut off indentwise; and that five thousand four hundred and twenty-two tickets, part of those to be contained in the outermost colums of the books last mentioned, shall be and be called the "benefit tickets," to which extraordinary benefits shall belong, as hereinafter mentioned. And the said managers and directors shall cause the said benefit tickets to be written upon or otherwise expressed, as well in figures as in words at length, in manner following; that is to say, upon two of them, one thousand two hundred and fifty pounds; upon four of them severally, six hundred and twenty-five pounds; upon six of them severally, three hundred and seventy-five pounds; upon eight of them severally, two hundred and fifty pounds; upon sixteen of them severally, one hundred and twenty-five pounds; upon every one of thirty-six of them severally, sixty-two pounds ten shillings; upon every one of one hundred and fifty of them severally, thirty pounds; upon every one of five thousand two hundred, three pounds fifteen shillings; which several sums make, in the whole, the sum of thirty-seven thousand five hundred pounds. And the said managers shall cause all the said tickets contained in the outermost column of the last-mentioned books to be, in the presence of such of the said adventurers as may be there, to be \* carefully cut out, indentwise, through the said flourish or device, and carefully roll<sup>e</sup>d up, and fastened with thread or silk, and to be put into another box to be prepared for that purpose, and to be mark<sup>e</sup>d with the letter "B," which box shall be presently put into another strong box, and locked up with five different locks and keys,—one key to be kept by each of said managers, and to be sealed up with their seals, until<sup>l</sup> these tickets shall also be drawn in the manner and form hereinafter mentioned. And the whole business of cutting off and rolling up, and putting into the said boxes, shall be performed by the

The number and sum of the benefit tickets.

Benefit tickets to be rolled up and put into a separate box.

said managers and directors, within six days, at the least, before the drawing of the said lottery shall begin.

*And be it further enacted,*

[SECT. 6.] That on or before the ninth day of April, one thousand seven hundred and forty-five (notice of the time being given in the public prints at least fourteen days before), the said managers and directors shall cause the said several boxes, with all the tickets therein, to be brought into Faneuil Hall, or such other convenient place in the town of Boston, as shall be agreed upon by the major part of the directors, by nine of the clock in the forenoon of the same day, and placed on a table, there for that purpose, and shall then and there severally attend this service, and cause the two boxes containing the tickets to be severally taken out of the other two boxes in which they shall have been locked up, and the tickets or lots in the respective innermost boxes being, in the presence of such adventurers as will be there for the satisfaction of themselves, well shaken and mingled in each box distinctly; and some one fit person, to be appointed and directed by the managers aforesaid, or the major part of them, shall take out and draw one ticket from the box where the said number[e]d tickets shall be put as aforesaid, and one other indifferent and fit person, to be appointed and directed in like manner, shall presently take out a ticket or lot from the box where the said five thousand four hundred and twenty-two benefit, and nineteen thousand five hundred and seventy-eight blank, tickets shall be promiscuously put as aforesaid, and immediately both the tickets so drawn shall be opened, and the number of the benefit, as well as blank, tickets, shall be named aloud; and if the ticket taken or drawn from the box containing the benefit, and blank, lots, shall appear to be a blank, then the numbered ticket so drawn with the said blank at the same time, shall both be put on one file; and if the ticket so drawn or taken from the box containing the benefit, and blank, lots, shall appear to be one of the benefit tickets, then the principal sum written upon such benefit ticket[s], whatever it be, shall be entred, by such clerk or clerks as the said managers, or the major part of them, shall employ and oversee for this purpose, being first sworn to a faithful discharge of his or their office, into a book to be kept for entering the numbers coming up with the said benefit tickets; and the said benefit, and numbered, tickets so drawn together shall be put upon another file; and so the said drawing of the tickets shall continue, by taking one ticket at a time out of each box, and with opening, naming aloud and filing the same, and by entering the benefit lots in such method as is before mentioned, until[l] the whole number be compleatly drawn; and if the same cannot be performed in one day's time, the said managers shall cause the boxes to be locked up and sealed in manner as aforesaid, and adjourn till next day, and so from day to day, and every day, except on the Lord's day; and then open the same and proceed as above, till the said whole number shall be drawn as aforesaid; and afterwards the said numbered tickets so drawn, with the benefit tickets drawn against the same, shall be and remain in a strong box, locked up as aforesaid, and under the custody of the said managers, until[l] they shall take them out to examine, adjust and set[t]le the property thereof. And, as soon as conveniently may be after the drawing is over, the said managers are required to cause to be printed and published, the number of the ticket drawn against each benefit ticket, and the principal sum written on the same, and if any contention or dispute shall arise in adjusting the property of the said benefit tickets, the major part of the said managers agre[e]ing therein, shall determine to whom it doth or ought to belong.

[SECT. 7.] And if any person shall forge or counterfeit any ticket or tickets to be made forth on this act, or alter any of the numbers thereof,

Time and place of drawing tickets.

Benefit tickets to be entered by the managers' clerk or clerks.

Managers may adjourn from day to day until all are drawn.

Penalty for persons who forge or counterfeit tickets, &c.

or utter, vend, barter or dispose of, or offer to dispose of, any false, altered, forged or counterfeit ticket or tickets, or bring any forged or counterfeit ticket or tickets, the number whereof is altered, knowing the same to be altered, to the said managers, or any of them, or to any other person, to the intent to defraud this province, or any adventurer upon this act, that then every such person or persons, being thereof convicted in due form of law, shall suffer such pains and penalties as is by law provided in cases of forgery.

The managers to commit such to prison.

[SECT. 8.] And the said managers or directors, or any two of them, are hereby authorized, required and impowered to cause any person or persons bringing or uttering such forged or counterfeit ticket or tickets as aforesaid, to be apprehended and committed to close goal, to be proceeded against according to law.

*Provided always,—*

*And it is hereby enacted,*

[SECT. 9.] That each manager and director for putting this act in execution, before his acting in such commission, shall take the following oath; viz<sup>[1]</sup>,

Directors' oath.

I, A. B., do swear that I will faithfully execute the trust reposed in me, and that I will not use any indirect act or means to obtain a prize or benefit lot for myself or any other person whatsoever, and that I will do the utmost of my endeavour to prevent any undue or sinister practice to be done by any person whatsoever, and that I will, to the best of my judgment, declare to whom any prize, lot or ticket does of right belong, according to the true intent and meaning of the act of this province, made in the eighteenth year of his majesty's reign in that behalf. So help me God.

—which shall and may be administred by any two or more of the other managers and directors.

*And be it further enacted,*

Four-fifths of the benefit tickets to be paid the owners or proprietors.

[SECT. 10.] That from each benefit ticket there shall be deducted twenty per cent, or one-fifth part, to and for the use and service of this government; and the managers or directors as aforesaid, shall, within forty days after the drawing of said lottery is finished, pay to each owner or proprietor of the said benefit tickets, the remaining four-fifths of the full sum wrote or expressed as aforesaid on the said tickets, which will make, in the whole, the sum of thirty thousand pounds; and the remaining sum of seven thousand five hundred pounds, after deducting such necessary charges as shall be allowed by the governour and council (any allowance to the directors and managers for their service excepted), shall be paid in to the province treasury in bills of this province, there to remain until[1] the further order of this court.

*And be it further enacted,*

Undisposed tickets to remain as the interest, share and lot of the province.

[SECT. 11.] That if any of the aforesaid number[e]d tickets shall remain in the hands of the directors or managers, undispos[e]d of when the time set by this act for drawing said lottery shall be arrived, that then, and in such case, all and every such ticket shall be and remain as the interest, share and lot of this province, and the number of the said remaining undispos[e]d tickets shall be, by the directors or managers, given out to the province treasurer, in order to be drawn for the province.

*Provided, notwithstanding,—*

Proviso.

[SECT. 12.] That if there shall not be at least twenty thousand tickets disposed of at the time appointed for drawing the lottery, the managers and directors aforesaid shall wholly desist from any further proceedings until[1] they shall receive further orders from the general court, anything in this act to the contrary notwithstanding.

*And be it further enacted,*

[SECT. 13.] That the directors or managers by this act appointed, shall have such allowance[s] for their services as the general court shall hereafter order\*, and in case of the death, refusal or incapacity of attendance of any one or more of said managers, the vacancy shall be fill[e]d up by the governour and council. [Passed January 9; published February 4, 1744-45.]

Directors' allowances to be made by the general court.

## CHAPTER 21.

AN ACT FOR SUPPLYING THE TREASURY WITH THE SUM OF FIFTY THOUSAND POUNDS FOR PUTTING THE PROVINCE IN A BETTER POSTURE OF DEFENCE, FOR DISCHARGING THE PUBLIC DEBTS, &c., AND FOR DRAWING IN THE SAID BILLS INTO THE TREASURY AGAIN.

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

[SECT. 1.] That the treasurer be and hereby is impowered and ordered to emit and issue forth the sum of fifty thousand pounds in bills of credit of the last tenor and date, now lying in his hands and received in for taxes, impost and excise, which shall pass in all public payments equal to other new tenor bills emitted since one thousand seven hundred and forty; or if there be not a sufficiency of such bills, that then the committee appointed by this court for signing bills are hereby directed and impowered to take care and make effectual provision so soon as may be, to imprint the said bills, or so many as may be needed to compleat the said sum, and to sign and deliver the same to the treasurer, taking his receipt for the same, and the said committee shall be under oath for the faithful performance of the trust by this act reposed in them; and the said sum of fifty thousand pounds shall be issued out of the treasury in manner and for the purposes following; viz., the sum of thirty thousand pounds, part of the aforesaid sum of fifty thousand pounds, shall be applied for the payment of officers and soldiers, transports and wages of seamen, and for purchasing provisions and all needful warlike stores for the carrying on an expedition against Cape Breton, pursuant to such grants as this court shall hereafter make for that purpose; or in case the expedition should be prevented, that then the remaining part of the said thirty thousand pounds shall be applied for payment of grants made by this court; and the sum of eight thousand pounds, part of the aforesaid sum of fifty thousand pounds, shall be applied for purchasing of a ship of force for the preservation and defence of the trade of this province, as this court in their present sessions shall agree upon; the sum of ten thousand pounds, part of the aforesaid sum of fifty thousand pounds, shall be applied for the payment of such other grants as are and shall be made by this court, and for the payment of stipends, bounties, premiums established by law, and for the payment of all other matters and things which this court have, or shall, either by law or orders, provide for the payment of out of the publick treasury, and for no other purpose whatsoever; and the sum of one thousand and four hundred pounds, part of the aforesaid sum of fifty thousand pounds, shall be applied for the discharge of other debts owing from this province to persons who have served or shall serve them by order of this court in such matters and things where there is no establishment, nor any certain sum assigned

£50,000 in bills of credit, to be emitted.

Appropriation of this emission.

£8,000 for purchasing a ship of force.

£10,000 for grants, &c.

£1,400 for debts where is no establishment.