

judge proper, a Scheme for the said Lottery or Lotteries, as soon as may be, and all necessary Rules and Regulations therewith, for the Management thereof. And all Prizes which may be drawn in the said Lottery or Lotteries shall be paid without any Deduction, provided they are demanded within eight Months after the Drawing of the said Lottery or Lotteries; otherwise the Money arising from such Prizes shall be appropriated to the Purpose aforesaid.

Prizes to be paid without Deduction.
Proviso.

And be it further enacted by the Authority aforesaid, That if any Person shall forge, counterfeit or alter any Lottery Ticket issued by Virtue of this Act, or shall pass or utter any such counterfeited, forged or altered Ticket, knowing the same to be false, forged, counterfeited or altered, or that shall counsel, advise, or assist in forging, altering or counterfeiting the same, every Person so offending, and being thereof convicted, before the Supreme Judicial Court of this Commonwealth, shall be punished by setting on the Gallows for the Space of one Hour, with a Rope round his Neck, or shall pay a Fine not exceeding *one Hundred Pounds*, to the Use of this Commonwealth, or shall suffer not more than twelve Months Imprisonment, nor less than two, or be publicly Whipped, not exceeding thirty-nine Stripes, at the discretion of the said Court, according to the Nature and Circumstances of the Offence. And the said Managers, or any three of them are hereby empowered and directed from Time to Time, to lay out the Monies arising from this Lottery, for the Purpose of repairing and supporting the abovesaid Bridge, in *West Springfield*.

Persons convicted of Forgery.

Penalty.

Managers to lay out the Monies for the Purpose aforesaid.

Provided nevertheless, That no Tickets in this Lottery be exposed to sale till after the drawing of a Lottery granted for erecting a Bridge over *Chekebee* River, leading from *Springfield* to *Hadley*. *November 1, 1782.*

Proviso.

1782. — Chapter 29.

[September Session, ch. 12.]

AN ACT IN ADDITION UNTO AN ACT, INTITLED, "AN ACT PROVIDING FOR THE LEVYING AND COLLECTING OF TAXES IN PLANTATIONS THAT ARE NOT INCORPORATED.

Chap. 29

Whereas there has been a great Failure in assessing and collecting Plantation Taxes, and some further Pro-

Preamble.

vision is necessary to prevent such Failure in future, and for assessing and collecting such Taxes as have already been ordered to be assessed and collected: Therefore,

Plantations neglecting to choose Officers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, That if any Plantation within this Commonwealth, upon due warning given, shall neglect to assemble for the Purpose of choosing the Officers which they are empowered to choose by the said Act, or being so assembled, shall neglect to choose such Officers, such Plantation shall forfeit the Sum of twenty Pounds, to be recovered in any Court proper to try the same, and applied to the Use of this Commonwealth.

Penalty.

Assessors and Collectors in Case of Refusal —

Be it further enacted, That such Assessors and Collectors as shall be duly appointed by any Court of General Sessions of the Peace, shall be severally subjected to the same Penalties in Case of their Refusal to accept and perform the Duties of their Respective Offices, as they would have incurred in Case of such Refusal, if chosen by the Inhabitants of their several and respective Plantations.

Preamble.

Whereas in many Instances it may be difficult for the Courts of General Sessions of the Peace to come to the Knowledge of any Neglect in the Choice of Plantation Officers, unless some special Provision is made for that Purpose: Therefore,

When the Treasurer shall have issued his Warrant for assessing a Tax.

Be it further enacted, That whenever the Treasurer of this Commonwealth shall, in pursuance of a Law thereof, have issued his Warrant for assessing a Tax, directed to the Assessors of any Plantation, and shall have transmitted, or caused to be transmitted such Warrant to such Plantation; if in such Case said Treasurer shall not within the Space of three Months after the Time specified in such Warrant for assessing such Tax, and transmitting a Certificate thereof to him, receive such Certificate, then the said Treasurer shall forthwith certify such Failure, Omission or Neglect to the Court of General Sessions of the Peace for the County to which such Plantation belongs; which Certificate from the said Treasurer shall be taken and deemed as full and sufficient Evidence of the Neglect in such Plantation to choose the Plantation Officers aforesaid; unless the same shall be invalidated by other Testimony: And such Court shall, as soon as may be, proceed

In such Case.

in the Appointment of a Clerk, Assessors and a Collector or Collectors for such Plantation; and shall appoint some suitable Person, being a principal Inhabitant of such Plantation, to administer the necessary and usual Oaths to such Officers; who is hereby empowered and directed to administer the same accordingly; and shall be held and obliged to notify the Officers appointed by such Court, to appear before him within six Days at farthest from the Time of his receiving Notice of his Appointment, and Notice of the Appointment of such Officers. And if such Plantation Officers, or either of them, shall neglect to take the Oaths by Law required within the said six Days, the Person appointed as aforesaid to administer the said Oaths, shall certify such Neglect to the next Court of General Sessions of the Peace, to be held for such County; who shall thereupon, by Appointment, fill up any Vacancy which may then remain.

Plantation Officers neglecting to take the Oaths required by Law.

Be it further enacted, That if any Person appointed in pursuance of this Act to administer the Oaths to Plantation Officers, shall neglect the due Performance of any of the Duties enjoined upon him by this Act, such Person shall forfeit the Sum of *ten Pounds*, for the Use of the County to which he belongs, to be recovered in any Court proper to try the same.

Persons neglecting to administer the Oaths.

Penalty.

Be it further enacted, That when there shall be no Assessors in any Plantation, or when the major Part of such as may be chosen, shall unreasonably refuse or neglect to call a Meeting of the Inhabitants thereof for any legal Purpose; or in Case of a Vacancy of a major Part of such Assessors by Death, Removal out of the Plantation, or otherwise, any Justice of the Peace in the County in which such Plantation lies, is hereby authorised and empowered, upon the Application of Five of the Inhabitants of such Plantation, qualified according to Law to vote in Plantation Meetings, to issue his Warrant, directed to some principal Inhabitant of such Plantation, requiring him to warn a Meeting of the Inhabitants thereof; who is hereby empowered and required to execute such Warrant: And the Inhabitants of such Plantation, being legally assembled in Consequence of such Warrant from a Justice of the Peace, at any Time of the Year, are hereby empowered to choose all the Officers which Plantations not incorporated, are by Law author-

Assessors neglecting to call a Meeting.

Justices to issue Warrants.

Inhabitants to choose Officers.

ised to choose, in Case no such Officers are then existing in such Plantation, or fill up any Vacancy of such Officers; any Law to the contrary notwithstanding.

Assessors to assess all Taxes not assessed before their appointment.

Be it further enacted, That the first Assessors which may hereafter be chosen or appointed and sworn in any Plantation, be, and hereby are empowered and required to assess all Taxes not assessed before their Appointment, which have been granted and ordered by the General Court to be assessed upon such Plantation, since the last Wednesday in *May*, Anno Domini, one Thousand seven Hundred and Eighty-one, and commit Lists thereof to the Collectors, who are hereby empowered and required to collect and pay in the same agreeable to such Warrants as they may receive for the Purpose: And such Assessors shall certify all such Assessments to the Treasurer of this Commonwealth, with the Names of the Collectors, and the Sum-Total committed to each of them respectively.

Collectors to collect the same.

Assessors to certify all Assessments to the Treasurer.

County Treasurers to prosecute &c. Upon the Receipt of Forfeitures —

Be it further enacted, That the Treasurers of the several Counties in this Commonwealth, be, and hereby are respectively empowered and directed to prosecute for, recover and receive any Forfeiture which may arise in Consequence of this Act, within their respective Counties: And when any County Treasurer shall have received any such Forfeiture, which by this Act is to be applied to the Use of this Commonwealth, he shall immediately pay the same to the Treasurer thereof: And when any County Treasurer shall receive any Forfeiture, which by Law is to be applied to the Benefit of any particular Plantation, he shall retain the same in the County Treasury, till it shall be made to appear, to the Satisfaction of the Court of General Sessions of the Peace for the County to which such Plantation belongs, that there are three Assessors and one Collector at least, then existing in such Plantation, who have accepted such Offices, and qualified themselves for the due Execution thereof, according to Law, and then pay the same to the Assessors of such Plantation for the use thereof; any Law to the contrary notwithstanding.

County Treasurer to receive the forfeiture and retain the same, until —

This Act to continue and be in Force till the first Day of *November*, Anno Domini, one Thousand seven Hundred and Eighty-five, and no longer.

November 1, 1782.