

1789. — Chapter 55.

[January Session, ch. 28.]

AN ACT GRANTING A LOTTERY, FOR THE PURPOSE OF SECURING AND FORTIFYING THE BEACH ON THE SOUTHWESTERLY SIDE OF THE HARBOR OF MARBLEHEAD, AND APPOINTING TRUSTEES TO APPLY THE PROCEEDS.

Whereas the preservation of the harbor of Marblehead, is a matter of public concern, and for that purpose it appears necessary, immediately to provide, for repairing the fortifications heretofore made to secure the Beach, on the south westerly side thereof, & for further securing the same. Preamble.

Be it enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same, that a sum not exceeding One thousand pounds of lawful money, may be raised, and is hereby granted to be raised, by a lottery or lotteries in one or more classes, the proceeds whereof shall be received, expended & applied by the Trustees herein after named, in repairing the fortifications heretofore made on the said Beach & in further securing the same, so far as the said proceeds shall extend, and shall be wanted for that purpose. A limited sum granted, to be raised by Lottery.

And be it further enacted, that William Raymond Lee & Samuel Sewall esqrs. Captain Samuel Hooper, Messrs Marston Watson & Joseph Sewall or any three of them, having severally and each for himself, given bond with one or more sufficient surety or sureties, to the Treasurer of this Commonwealth, in the sum of one thousand pounds, conditioned for the execution of their respective trust according to the provisions of this Act; and being likewise sworn before some Justice of the peace, impartially & faithfully to perform the same, be, and hereby are appointed and authorized to be the sole Managers of the said lottery and lotteries; & it shall be the duty of such Managers, to concert and publish a scheme of every lottery, which shall be undertaken in consequence of this Act, a copy of which scheme, under the hands of the said Managers undertaking the same, shall be lodged with the said Treasurer before the drawing of such lottery: And the Managers undertaking such lottery, shall at the expiration of six months next after the publication of their scheme, either draw such lottery, or return to each & every purchaser of any ticket or share in the same, the whole sum Managers appointed.
— Their duty.

paid therefor, without any deduction: And the drawing of every such lottery, shall be in public, and agreeably to the scheme thereof, and a correct list of all prizes or fortunate numbers drawn therein within twenty days next after drawing, shall be published in the *Salem Mercury* & the *Boston Independent Chronicle*, and within twenty days after such publication, the amount & value of such prize, agreeably to the scheme of such lottery, shall be paid, if demanded to the possessor of such prize ticket or fortunate number:

Proviso.

Provided always, that if any prize shall not be demanded within six months after such publication, it shall be taken to be generously given for the purpose of the Lottery, and accounted for accordingly. And further it shall be the duty of such managers at all times, on demand of the trustees herein after named, or of the major part of them, to render a true account of the state of any lottery which shall be undertaken as aforesaid, and the said managers, reserving a reasonable allowance for their trouble and all necessary expences incurred in conducting such lottery, shall be held, within one month after the drawing of any lottery or class of a lottery, to pay to such Trustees or their Treasurer or other person who shall by them be appointed to receive the same, the net proceeds of the deduction made in such lottery, agreeably to the scheme thereof; the allowance to the said Managers to be agreed upon between them and the said Trustees, or if they disagree, to be determined by the inhabitants of the said town of *Marblehead*, at a legal town meeting to be called for that purpose.

— Further duty.

Trustees appointed.

And be it further enacted, that the honorable *Azor Orne* esqr., *Jonathan Glover*, *John Glover* Esqrs., Captain *Israel Foster* Mr. *Robert Hooper* junr. Mr. *Joshua Prentis*, and Mr. *Benjamin Tyler Reed* so long as they shall continue inhabitants of the said town of *Marblehead*, or any five of them who shall undertake this trust be, and are hereby appointed Trustees to receive & apply the net proceeds of any lottery or lotteries which shall be undertaken in consequence of this Act, according to the purposes thereof: And the said Trustees shall and may call and hold meetings in such way and manner as they shall agree upon, & thereat, by a major vote, appoint if they see cause, a chairman, Clerk and Treasurer; and shall and may as often as they shall judge it expedient, require

— Empowered to call meetings, &c.

of the said managers a true account of the state of any lottery, which shall be undertaken by them and of their respective receipts upon the same, & at the expiration of one month after the drawing of any such lottery, shall and may demand of each of the said managers a true account of the net proceeds of such lottery, and shall & may demand and recover of him the sum & part thereof by him received. And at any such meeting, the said Trustees shall order and direct the manner of repairing & securing the said Beach, the prices of labor and materials, and shall and may appoint an Overseer or Overseers of the said work, with such powers as to the said Trustees or the major part of them shall seem necessary and expedient, and shall and may order and transact any other matter relative to the faithful execution of their said trust; And their Clerk shall keep a fair record of their orders and proceedings; And the said Trustees shall be held to render to the Treasurer of this Commonwealth a true account of their receipts and disbursements in the execution of their said trust.

— To have the direction of all matters.

And be it enacted, that this Act so far as respects the continuance of said Lottery or Lotteries shall be in force for the term of two years and no longer.

Continuation.

March 4, 1790.

1789. — Chapter 56.

[January Session, ch. 29.]

AN ACT FOR NATURALIZING JOHN JARVIS & OTHERS THEREIN NAMED.

Whereas John Jarvis, Lewis Leprilete, John Fowler, Alexander McDonald, William Welch, Peter Le Mercier and his children Polly, Eugenia, Sophia Cecile and Peter Olivier, Thomas Lane, William Cleland, John Pennell, John Bond, John Montgomery, James Green, Nathan Kelley, Stephen Jones, Thomas Ramsden, and John Sockman have petitioned the General Court, that they may be naturalized and be entitled to all the rights and privileges of free citizens of this Commonwealth.

Naturalization of John Jarvis and others.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that John Jarvis, Lewis Leprilete, John Fowler, Peter Le Mercier, and his children Polly, Eugenia, Sophia Cecile & Peter Olivier, Alexander McDonald, William

To take the oath of allegiance.