

ACTS

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-FIFTH DAY OF MARCH, A. D. 1761.

CHAPTER 25.

AN ACT IN ADDITION TO AN ACT MADE AND PASSED IN THE THIRTY-THIRD YEAR OF HIS LATE MAJESTY KING GEORGE THE SECOND, INTIT[*U*]LED "AN ACT FOR ERECTING AND ESTABLISHING TWO NEW COUNTIES IN THE EASTERLY PART OF THE COUNTY OF YORK."

Preamble.
1760-61, chap. 7,
§ 7.

WHEREAS, in and by an act made and passed in the thirty-third year of the reign of his late majesty King George the Second, intit[*u*]led "An Act for erecting and establishing two new counties in the easterly part of the county of York," it is, among other things, enacted and provided as follows; viz^[t], that "all appeals from any judgment or judgments given at any court of general sessions, and at any inferior court of common pleas, within the said county of Lincoln, shall be heard and tried at the superior court of judicature to be held, yearly, at Falmouth, as aforesaid;" and whereas the said provision is insufficient to give jurisdiction to the said superior court, held at Falmouth, in other matter[*s*] and things necessary to be tried and determined by said court,—

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

Superior court
at Falmouth to
have jurisdic-
tion in certain
cases.

[SECT. 1.] That the superior court of judicature, court of assize, and general goal delivery, to be held at Falmouth in and for the county of Cumberland, shall have, from time to time, and at all times hereafter, the same jurisdiction, power and authority for the trial of all actions, civil or criminal, the cause whereof has arisen, or shall arise, within the body of the county of Lincoln, as also to hear and determine all other matters and things arisen, or which shall arise, within the body of the said county of Lincoln, as the said superior court, by law, would have if the cause of such actions, and such matters and things, had arisen within the body of the said county of Cumberland.

And be it further enacted,

Jurors to be
summoned.

[SECT. 2.] That the grand jurors and petit jurors serving at the superior court of judicature, court of assize, and general goal delivery, to be holden at Falmouth, shall, from time to time, be chosen and summoned, in such manner as the law directs for the choice and summons of grand and petit jurors, out of the several towns within the said counties of Cumberland and Lincoln.

Preamble.

And whereas the selectmen of several towns within the said counties of Cumberland and Lincoln may have neglected, or omitted, preparing a list of persons liable to serve on the petit jury, before the tenth day of April, 1760, in manner as the law directs,—

Be it therefore further enacted,

Selectmen to

[SECT. 3.] That the selectmen of every town and district, within

the said counties of Cumberland and Lincoln, so neglecting or omitting, shall, some time in the month of April this present year, take a list of such persons as are qualified and liable, by law, within such towns and districts, respectively, to serve on petit juries, to be laid before such respective towns and districts sometime before the first Tuesday of May next following, at a publick town-meeting; and such towns and districts shall proceed to determine upon said lists in like manner as such towns or districts might and would have done, by law, if such list[s] had been prepared and presented before the said tenth day of April, 1760; any law, usage or custom to the contrary notwithstanding.

take lists.

And be it further enacted,

[SECT. 4.] That the justices of the courts of general sessions of the peace for the aforesaid counties of Cumberland and Lincoln, shall be and they hereby are impowered to grant licences to, and to take recognizances from, innholders and retailers of strong drink, within the respective counties, at the next courts of general sessions to be holden for such count[*y*][*ie*]*s*, respectively; suc[*c*]*h* licen[*s*][*c*]*es* to continue until the first courts of general sessions which shall be held and kept in course, for such count[*y*][*ie*]*s*, respectively, next after the twenty-ninth day of June, which shall be in the year 1762; any law, usage or custom to the contrary notwithstanding. [*Passed April 14; published April 21, 1761.*]

Justices, &c., to grant licences.

CHAPTER 26.

AN ACT FOR RAISING A SUM OF MONEY BY LOTTERY, FOR REPAIRING FANEUIL HALL IN BOSTON.

WHEREAS the town of Boston, by a petition presented by their selectmen, have represented to this court that, in the providence of God, Faneuil Hall having been consumed by fire, the inhabitants of said town labour under great inconveniency in want of a suitable place for transacting the publick business of said town, and find it necessary to rebuild and repair the said hall not only to accommodate themselves, as soon as may be, but also that they may not lose the benefit of the walls yet standing; and do, by said selectmen, humbly move that this court would enable some suitable persons to raise a sufficient sum by way of lottery, for that purpose,—

Preamble.

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

[SECT. 1.] That Samuel Sewall, Samuel Phillips Savage and Ezekiel Lewis, or any two of them, be and hereby are allowed and impowered to set up and carry on a lottery or lotteries, amounting to such a sum, as, by drawing ten per cent out of each prize, or out of the whole, may raise a sum of two thousand pounds, and no more; and that the said sum be applied by them, or the major part of them, to the rebuilding the said Faneuil Hall and the market under the same: *saving* so much of said sum as shall be sufficient to defrey the necessary charges of the lottery or lotteries aforesaid.

Managers appointed for Faneuil-Hall lottery.

[SECT. 2.] And the said Samuel Sewall, Samuel Phillips Savage and Ezekiel Lewis, or any two of them, are hereby appointed managers and directors of the said lottery or lotteries, and shall be sworn to the faithful discharge of their trust; and they are hereby impowered to make all necessary rules, and use all necessary methods, to manage