

quantity of each article disposed of, and of the respective sums received on each, to the Governor and Council, if sitting, otherwise to the Governor, once in three months, at the least; and he is hereby further directed, to pay into the Treasury once in three months, at the least, all the monies and orders he has received for the said Articles, taking duplicate receipts therefor, one of which to be lodged in the Secretary's office.

And whereas the Treasurer has anticipated a part of the said specie Taxes, by drawing orders on the several Collectors, Constables and Sheriffs, to the amount of Sixty four thousand pounds:

Therefore, Be it further enacted by the authority aforesaid, That the several persons in whose favor the said orders have been drawn, be, and they hereby are allowed to receive any of the said enumerated articles, at the price at which the same are set in the place where they are deposited, in discharge of such orders; and in case the possessors of such orders, shall not chuse to receive their pay in specific articles, they are hereby respectively permitted, to return the said orders to the Treasurer; and the Treasurer is hereby directed, on receiving such orders, to pay the amount of the same from the proceeds of the several articles herein before enumerated, when sold by the Commissary General. *November 8, 1786.*

Persons in whose favor orders have been drawn, allowed to receive enumerated articles.

1786. — Chapter 40.

[September Session, ch. 12.]

AN ACT TO BRING INTO THE PUBLIC TREASURY, THE SUM OF ONE HUNDRED AND SIXTY THREE THOUSAND, AND TWO HUNDRED POUNDS, IN PUBLIC SECURITIES, BY A SALE OF A PART OF THE EASTERN LANDS; AND TO ESTABLISH A LOTTERY FOR THAT PURPOSE.

Chap. 40.

Whereas by a speedy sale of the eastern lands belonging to this Commonwealth, for the public securities, the debt of this Commonwealth, may be reduced; the burden of the necessary taxes, diminished, and the settlement and improvement of the vacant lands greatly promoted: And whereas the sale of the said lands may be facilitated by establishing a public Lottery therefor: Wherefore,

Preamble.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That a Lottery be, and hereby is granted

Lottery established, for the sale of 50 townships.

Boundaries.

and established for the sale of the following fifty townships of land, in the County of *Lincoln*, each of the contents of six miles square, and laying between the rivers *Penobscot* and *Schuduc*, by Lottery Tickets of *sixty pounds* each, *to wit.* Townships number Seven, thirteen, fourteen, fifteen, sixteen seventeen, eighteen, nineteen, twenty, twenty one, twenty three, twenty four, twenty five, twenty six and twenty seven, being fifteen Townships in the east Division, so called; and Townships, numbered from fourteen inclusive to forty three inclusive, being thirty Townships in the middle Division so called; and Townships, Number two, three, four, five and six, in the northern Division, and southern range, so called. The whole Tract bounded as follows, *viz.* Beginning at the North West corner of Township Number eight, in the aforesaid middle Division; from thence running North, thirty miles; then East six miles; then North six miles; then East thirty miles; then South six miles; then East to *Schuduc River*; then down the middle of that River (through the *Schuduc Ponds*) to the South East corner of Township Number seven, in the East Division, being a heap of Stones by a Rock Maple tree on the West bank of *Schuduc River*, marked thus \wedge 1764; then south forty-five degrees West, two miles one hundred eighteen rod, to a heap of Stones and white Pine Tree marked, on the North East side of *Meddy-Bemps Lake* or *Pond*, so called; then southerly through said Pond to the out-let thereof, or beginning of *Denney's River*; then down the middle of *Denney's River*, to a white Pine Tree on the West bank thereof, marked for the North East corner of Number ten in said East Division; then south eighty one degrees West, one mile one hundred rod, to a spruce Tree the North West corner of Number ten; then south nine degrees East, seven miles, to the North line of Number twelve; then south eighty one degrees West, to the East line of *Machias*; then North ten degrees West, on *Machias* line, to the North East corner thereof; then south eighty degrees West, eight miles to the north West corner of *Machias*; then South ten degrees East, to the North East corner of Number twenty two in said East Division; then South eighty degrees West six miles one hundred and fifty rod to a Beach Tree, the North West corner of Number twenty two on the East line of Number thirteen, in the middle Division; then North to the North East cor-

ner of said number thirteen ; then West on the North line of Number thirteen, twelve, eleven, ten, nine and eight, to the first mentioned bounds.

Provided nevertheless that there be reserved out of each Township, four lots of three hundred and twenty acres each, for public uses, *to wit*, one for the use of a public Grammar School forever one for the use of the Ministry, one for the first settled Minister, and one for the benefit of public Education in general, as the General Court shall hereafter direct. Proviso.

And be it further enacted by the authority aforesaid, that two thousand seven hundred and twenty Tickets, be printed off, and sold for *sixty pounds* each ; and that the said fifty Townships, be delineated and numbered on a plan or plans, to be made and entered in a Book for that purpose ; and that the residue of the said Townships, after making the reservations before mentioned, be divided into as many lots, to be drawn as prizes, as there are Tickets, and be numbered accordingly : and that there shall be one lot or prize of a Township, two prizes of half a Township each ; four prizes of a quarter of a Township each ; six prizes of three miles by two miles each ; twenty prizes of two miles by two miles each ; forty prizes of three miles by one mile each ; one hundred and twenty prizes of two miles by one mile each ; four hundred prizes of one mile square each ; seven hundred and sixty one prizes of one mile by half a mile each ; and thirteen hundred and sixty six prizes of half a mile square each ; reserving nevertheless, as is in this Act before mentioned ; making in the whole, two thousand seven hundred and twenty lots or prizes. Number of tickets to be printed, &c.

And be it further enacted by the authority aforesaid, That the several purchasers and proprietors of the Tickets in the same Lottery, shall be intitled to have and hold to themselves, their heirs and assigns, forever, such prize lots of the said fifty Townships, as may be drawn by their Tickets respectively, upon producing the same to the Secretary of the Commonwealth, within six months after drawing the said Lottery ; and having the same registered by him as is herein after provided : and such registry shall enure and operate to all intents and purposes, as a grant of the same lots respectively, on behalf of this Commonwealth, to the Proprietor or proprietors of the Tickets so drawing the same, without any other or further deed or Number and value of prizes.

Proprietors of tickets, — their title secured.

writing whatever; and an attested copy of such registry shall be sufficient evidence of the Party's title to the same.

Managers appointed.

And be it further enacted by the authority aforesaid, that the Hon. *Samuel Phillips*, and *Nathaniel Wells*, Esquires, and *John Brooks*, *Leonard Jarvis* and *Rufus Putnam*, Esquires be and they hereby are appointed Managers of the said Lottery; and shall be sworn to the faithful performance of their trust; and that they procure the said Tickets to be printed on good paper, and number and check the same; and that they lay down in a book and number the townships and lots as aforesaid; and that they publish the foregoing scheme of this Lottery, in such of the public News Papers, as they may judge best, in order to promote a speedy sale of the Tickets. And that, immediately on drawing the said Lottery, they publish an account of the numbers and prizes in one of the public News Papers, and forthwith return to the Secretary the Book and plans aforesaid, of the said Townships and lots, together with an account and list of the numbers and prizes drawn by the respective numbers, in opposite columns, fairly entered therein, and sign the same Book, and annex their seals to their names respectively.

Managers to be sworn.

An account of prizes to be published, &c.

Secretary to register the names, &c. of proprietors.

And be it further enacted by the authority aforesaid, that when the proprietor of a ticket, shall produce the same to the Secretary, the said Secretary shall enter and register in the book, so to be returned to him by the Managers, against the number of such ticket and the prize lot it may have drawn, the name of such proprietor, with the place of his abode, and his addition, in three distinct columns, and certify the amount of the prize on the back of such ticket, and deliver the same to the proprietor thereof, if he shall request it, without demanding therefor, any fee or reward.

Drawing, when to commence.

And be it further enacted by the authority aforesaid, that the said Lottery shall commence drawing in the town of *Boston*, on the first Wednesday of *March* next, at furthest; and in case all the tickets shall be sold before the said first Wednesday of *March*, that then the said Managers may, and shall proceed forthwith to draw the same; and such Tickets as may remain unsold on the said first Wednesday of *March*, shall be the property of this Commonwealth, And the Managers aforesaid shall previous to their beginning to draw the said Lottery, then deposit

the tickets which remain so unsold, in the Treasurer's Office, with a list of their numbers respectively.

And be it further enacted that the said Tickets may, and shall be sold, for the consolidated notes of this Commonwealth, or for the public Securities of the United States, called final Settlements, or for any other public securities on interest of the United States, or of this Commonwealth, or for silver and gold; and the said Managers are hereby directed accordingly. And in order to encourage the settlement and improvement of the said land.

Tickets may be sold for public securities, or silver and gold.

Be it further enacted by the authority aforesaid, that the said lots of land which shall be so drawn as prize, shall be exempted from every State or Continental land tax, from the date hereof, during the term of fifteen years; and that no State or Continental tax on the polls of such persons as shall settle and reside on such lots as shall be so drawn as prize, or on their estates actually within the same, shall be levied or assessed for and during the term of fifteen years from the date of this act.

Lands drawn, exempted from taxes, for fifteen years.

Polls exempted.

And be it further enacted by the authority aforesaid, that if any person shall forge, counterfeit or alter, or knowingly and willfully act or assist in forging altering or counterfeiting any lottery ticket that shall be issued by virtue of this act; or shall pass, utter, exchange or barter any such altered, forged or counterfeited ticket, knowing the same to be so forged, counterfeited or altered; or shall forge and counterfeit, or procure to be forged and counterfeited, or knowingly and willfully act or assist, in forging, altering or counterfeiting any letter of attorney, or instrument, or the books of the said Managers, to receive the benefit and advantage of any prize that may be drawn in the said lottery, or to deprive the true and lawful owner thereof; or shall knowingly and fraudulently demand to have any prize ticket registered for his use, by virtue of such counterfeit or forged letter of attorney or instrument; or shall falsely or deceitfully personate any true and lawful proprietor of a ticket, thereby transferring, or endeavouring to transfer, and convey the same, or receiving, or endeavouring to receive, the benefit and advantage thereof, as if such offender were the true and lawful owner of the said ticket, in all or either of the foregoing cases, the person so offending, and being thereof convicted, before the Justices of the Supreme Judicial Court, shall be fined not exceeding *one thousand pounds*,

Penalty for forging or counterfeiting tickets.

or less than *one hundred pounds*, or imprisoned not exceeding twelve months; or be sentenced to be publicly whipped, not exceeding thirty-nine stripes; or to set on the Gallows with a rope about his neck, for the space of one hour; or to be branded, or be sentenced to hard labor, pursuant to the act in such cases lately made and provided; or to suffer all or any of the said punishments, according to the discretion of the said Justices, and the nature and aggravation of the offence.

And be it further enacted by the authority aforesaid, That the said Managers be and hereby are required, to pay into the treasury of this Commonwealth, as they receive the same, all such sums of money and securities, as may be paid to them for tickets as aforesaid.

November 9, 1786.

1786. — Chapter 41.

[September Session, ch. 10.]

Chap. 41. AN ACT FOR SUSPENDING THE PRIVILEGE OF THE WRIT OF HABEAS CORPUS.

Preamble.

Whereas the violent and outrageous opposition, which hath lately been made by armed bodies of men, in several of the Counties of this Commonwealth, to the Constitutional Authority thereof, renders it expedient and necessary, that the benefit derived to the Citizens from the issuing of Writs of Habeas Corpus, should be suspended for a limited time, in certain cases:

Be it therefore enacted, by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That the Governor, with the advice and consent of the Council, be and he hereby is authorised and empowered, by Warrant, under the Seal of the Commonwealth, by him subscribed, and directed to any Sheriff, Deputy Sheriff, or Constable, or to any other person, by name, to command, and cause to be apprehended, and committed in any Goal, or other safe place, within the Commonwealth, any person or persons whatsoever, whom the Governor and Council, shall deem the safety of the Commonwealth requires should be restrained of their personal liberty, or whose enlargement is dangerous thereto; any Law, Usage or Custom to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid,

Managers to pay the money, &c. into the treasury.

Governour and Council authorized to cause persons to be apprehended.