

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 FAN[EUI]L 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

and direct the same, until the whole shall be compleated and finished; and the managers, or any two of them, shall cause publick notifications to be given of the time and place of drawing each lottery or lotteries, that all adventurers may be present thereat: *provided, nevertheless*, no lottery shall be set up in consequence of this act 'till after eighteen months are expired from the first day of May next.

Proviso.

And be it further enacted,

Town empowered to take tickets.

[SECT. 3.] That, if the whole number of tickets in any lottery shall not be sold in six months after the publication of the scheme, it shall be lawful for the town of Boston, by vote, to take the tickets remaining unsold, to their own account: *provided* they raise, by tax, a sum of money sufficient to pay for the said tickets remaining unsold, as aforesaid, in two months from such vote; and if the said town shall vote not to purchase the said remaining tickets, or the said sum is not raised, and the tickets cannot otherwise be sold, the said managers shall return to the adventurers the money paid for the tickets, and the charges arisen shall be borne by the said town of Boston.

And be it further enacted,

Allowance to the managers.

[SECT. 4.] That the managers aforesaid shall be allowed the sum of six shillings per day, and no more, for each day they are employed in the service aforesaid; and they are hereby directed to present the account of such their charges before the said town, at some publick meeting, and the same, being by them allowed, to be paid out of the money to be raised by this act.

[SECT. 5.] And the said managers are hereby appointed judges in any dispute touching the property of any benefit-tickets; and the said managers shall give publick notice, as soon as may be, of the prizes, and shall pay off such prizes in twenty days after such notice.

Provided, nevertheless,—

Benefit-tickets not claimed in a year, to be added to the stock.

[SECT. 6.] No benefit-tickets not claimed in twelve months after the drawing of any lottery, and publick notice of the prizes drawn being given, shall be thereafter paid, unless the owner of such ticket was beyond sea at the time of such notice, and had no lawful attorney in this province: such owners shall be allowed eighteen months after drawing, to claim in; and all the prizes finally not claimed as aforesaid, shall sink into the said stock, and be applied to the same purposes as the surplusage is, hereinafter appropriated.

Penalty for forging tickets.

[SECT. 7.] And if any person shall forge or alter any of the tickets in any lottery to be raised and formed by virtue of this act, and be thereof convicted, they shall be punished by fine, imprisonment, or by setting in the pillory, or whipping, according to the aggravation of the said offence.

And be it further enacted,

Surplusage, how to be applied.

[SECT. 8.] That if the sum raised by this act shall be more than sufficient to rebuild the said Faneuil Hall, and the market under the same, and pay the charges aforesaid, the said surplusage shall be applied for further keeping the said building in repair. [*Passed April 18; published April 21, 1761.*]