

## CHAPTER CCCCLXXVIII.

AN ACT FOR THE MORE EFFECTUAL SUPPRESSING AND PREVENTING  
OF LOTTERIES.

Whereas many mischievous and unlawful games called lotteries have been set up in this province which tend to the manifest corruption of youth and the ruin and impoverishment of many poor families. And whereas such pernicious practices may not only give opportunities to evil-disposed persons to cheat and defraud the honest inhabitants of this province, but prove introductive of vice, idleness and immorality, injurious to trade, commerce and industry and against the common good, welfare and peace of this province:

For remedying whereof:

[Section I.] Be it enacted, adjudged and declared, and it is hereby enacted, adjudged and declared by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That all lotteries whatsoever, whether public or private, are common and public nuisances and against the common good and welfare of this province.

[Section II.] And be it further enacted by the authority aforesaid, That from and after the publication of this act no person or persons whatsoever shall publicly or privately set up, erect, make, exercise, keep open, show or expose to be played at, drawn at or thrown at, [any lottery, play or device]<sup>1</sup> or shall cause or procure the same to be done either by dice, lots, cards, balls, tickets [or any other numbers or figures] or [in] any other manner or way whatsoever; and that every person or persons that shall set up, erect, make, exercise, keep open, show or

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<sup>1</sup> These words are not printed in the original roll.

expose to be played at, drawn or thrown at any such lottery, play or device or that shall cause or procure the same to be done after the publication of this act and shall be thereof legally convicted in any court of quarter sessions within the jurisdiction whereof the said offenses shall be committed, or in the Supreme Court, if thereunto removed from any of the inferior courts within this province, shall forfeit and pay the sum of five hundred pounds lawful money of Pennsylvania.

[Section III.] And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever that shall buy, sell or expose to sale or that shall advertise or cause to be advertised the sale of any ticket or tickets or device whatsoever in such lotteries, plays or devices, or that shall be aiding, assisting or in any ways concerned in managing, conducting or carrying on such lotteries, plays or devices by whatsoever name the same may be called and legally convicted thereof in either of the courts aforesaid, shall forfeit and pay the sum of twenty pounds lawful money of Pennsylvania for every such offense.

[Section IV.] And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever that shall, within this province, buy, sell or expose to sale or shall advertise, or cause to be advertised, the sale of any ticket or tickets or other device whatsoever in any lottery, play or device whatsoever, which shall be hereafter set up, erected, made, exercised, kept open, shown or exposed to be drawn at, played at or thrown at in or at any place or places out of this province (State lotteries erected and licensed by act of Parliament in Great Britain only excepted and foreprized) and be thereof legally convicted in manner aforesaid shall forfeit and pay the sum of twenty pounds lawful money of Pennsylvania for every such offense.

[Section V.] And be it [further] enacted by the authority aforesaid, That all the fines, forfeitures and penalties hereby inflicted shall be paid to the overseers of the poor for the time being for the use of the poor of the city, borough or township where any of the said offenses shall be committed.

Provided always, nevertheless, That nothing herein contained

shall be deemed or taken to extend to any lottery advertised in the public newspapers of this province on or before the fourth day of February, in the year of our Lord one thousand seven hundred and sixty-two, nor to the the [*sic*] selling or buying of any ticket or tickets in such lottery, anything herein contained to the contrary thereof notwithstanding.

[Section VI.] And be it enacted by the authority aforesaid, That the clause in an act of Assembly of this province, entitled "An act for regulating peddlers and vendues," &c.,<sup>1</sup> enacting "That if any person or persons shall presume to take upon him or themselves, from and after the publication of said act, upon any pretense whatsoever, privately or publicly to be set up, exercise or keep any lottery or lotteries within the province of Pennsylvania and be thereof legally convicted, he, she or they shall forfeit one hundred pounds, one moiety thereof to the governor, the other moiety to any person that will sue for the same, is hereby repealed and declared to be null, void and of no effect.

Passed February 17, 1762. Referred for consideration by the King in Council, February 14, 1763, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section II, and the notes to the Acts of Assembly passed May 31, 1718, Chapter 236; and February 14, 1729-30, Chapter 308; and the Acts of Assembly passed June 20, 1759, Chapter 446; January 20, 1792, Chapter 1603; March 2, 1805, P. L. 48; April 2, 1811, P. L. 226; March 1, 1833, P. L. 60; March 16, 1847, P. L. 476; March 31, 1860, P. L. 382; April 2, 1870, P. L. 46; June 13, 1883, P. L. 90.

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## CHAPTER CCCCLXXIX.

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AN ACT FOR OPENING AND BETTER AMENDING AND KEEPING IN REPAIR THE PUBLIC ROADS AND HIGHWAYS WITHIN THIS PROVINCE.

Whereas the laws now in force for the keeping in repair the several public roads and highways have been found burdensome and unequal upon many of the inhabitants of this province and insufficient to answer the good purposes thereby intended inas-

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<sup>1</sup> Passed February 14, 1729-30, Chapter 308.