Acts and Laws

Passed by the Great and General Court or Assembly of his Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston* upon Wednesday the thirtieth Day of *May* 1750; and continued by Prorogations to Thursday the tenth of *January* following.

CHAP. X.

An Act for supplying the Treasury with *Twenty six Thousand seven Hundred* mill'd Dollars.

WHEREAS the Payment of the Publick Debts of this Government requires a speedy and further Supply of the Treasury; and as the Circumstances of the several Towns in the Province are so alter'd since the last Valuation was taken, as that a just and equal Tax can't be levied. Therefore, Preamble.

Be it enacted by the Lieutenant Governour, Council and House of Representatives, That any Person or Persons may adventure, advance and pay to the Managers or Directors herein after named, three mill'd Dollars, and as many Times that Number of such Dollars as they please; and that every Adventurer for every three such Dollars so advanced shall have such Right and Interest in the Lottery hereby established, as is hereafter provided. Persons allow'd to take out Tickets.

And be it further enacted, That *Samuel Watts*, Esq; *Thomas Hutchinson*, Esq; *Joseph Richards*, Esq; Mr. *Harrison Gray*, and Mr. *James Russel*, (or any three of them) shall be Managers or Directors for preparing and delivering out Tickets, and to oversee the drawing of Lots, and to order, do and perform such other Matters and Things as are hereafter in and by this Act directed and appointed by such Managers or Directors to be done and performed, and that such Managers and Directors shall meet together from Time to Time for the Execution of the Powers Names of the Managers or Directors.

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CHAP. XII.

An Act for preventing and suppressing of Riots, Routs, and unlawful Assemblies.

WHEREAS the Provision already made by Law has been found insufficient to prevent Routs, Riots, and tumultuous Assemblies, and the evil Consequences thereof: Wherefore, Preamble.

Be it enacted by the Lieutenant Governour, Council and House of Representatives, That from and after the Publication of this Act, if any Persons to the Number of Twelve or more, being Arm'd with Clubs or other Weapons, or if any Number of Persons consisting of Fifty or upwards, whether armed or not, shall be unlawfully riotously or tumultuously assembled; any Justice of the Peace, Field-Officer or Captain of the Militia, Sheriff of the County or Under-Sheriff, or any Constable of the Town, shall among the Rioters, or as near to them as he can safely come, command Silence while Proclamation is making, and shall openly make Proclamation in these or the like Words, Officers to make Proclamation when Persons are riotously assembled.

Our Sovereign Lord the KING, *chargeth and commandeth all Persons, being assembled, immediately to disperse themselves, and peaceably to depart to their Habitations, or to their lawful Business, upon the Pains contained in the Act of this Province made in the twenty-fourth Year of His Majesty King* GEORGE *the Second, for preventing and suppressing of Riots, Routs, and unlawful Assemblies. GOD save the* KING. Form of the Proclamation.

And if such Persons [illegible] made, not disperse themselves within one Hou, it shall be lawful for every such Officer or Officers, and for such other Persons as he or they shall command to be assisting, to seize such Persons, and carry them before a Justice of Peace: And if such Person shall be killed or hurt by Reason of their resisting the Persons so dispersing or seizing them, the said Officer or Officers and their Assistants shall be indemnified and held guiltless. And all Persons who for the Space of one Hour after Proclamation made as aforesaid, or to whom Proclamation ought to have been made, if the same had not been hindred, shall unlawfully, routously, riotously and tumultuously continue together, or shall wilfully let or hinder any such Officer who shall be known, or shall openly declare himself to be such, from making the said Proclamation, shall forfeit all their Lands and Tenements, Goods and Chattles, to His Majesty (or such a Part thereof as shall be adjudged by the Justices before whom such Offence shall be tried) to be applied towards the Support of the Government of this Province, and shall be whipt thirty nine Stripes on the naked Back at the publick Whipping-Post, and suffer one Year's Imprisonment, and once every three Months during said Imprisonment, receive the same Number of Stripes on the naked Back, at the publick Whipping-Post, as aforesaid. And if any such Person or Persons so riotously assembled, shall demolish or pull down, or begin to demolish or pull down any Dwelling-House or other House parcel thereof, any House built for publick Uses, any Barn, Mill, Malt-House, Store-House, Shop or Ship, he or they shall suffer the same Pains and Penalties, as are before provided in this Act. Penalty for Disobedience.

And be it further enacted, That this Act shall be read at every General Sessions of the Peace, and at the anniversary Meeting of each Town, within this Province annually; and no Person shall be prosecuted for any Offence contrary to this Act, unless Prosecution be commenced within twelve Months after the Offence committed. This Act to be read at the anniversary Meeting of the Towns & General Sessions of the Peace.

Provided

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Judges impowred to abate the Punishment of Whipping, in Case.

Provided always, That where there shall appear any Circumstances to mitigate or alleviate any of the Offences against this Act in the Judgment of the Court before which such Offence shall be tried, it shall and may be lawful for the Judges of such Court to abate the whole of the Punishment of Whipping, or such Part thereof as they shall judge proper: Any Thing in this Act to the contrary notwithstanding.

Continuance of the Act.

This Act to continue and be in Force for the Space of three Years from the Publication thereof, and no longer.

CHAP. XIII.

An Act in Addition to an Act Intitled, An Act to prevent Damage being done on the Beach, Humocks and Meadows belonging to the Town of *Scituate*, lying between the Southerly End of the third Clift, so called, and the Mouth of the *North-River*.

Preamble.

WHEREAS in and by an Act made and passed in the twenty third Year of his present Majesty's Reign, Intitled; An Act to prevent [illegible] done on the Beach, Humocks and Meadows belonging to the Town of *Scituate*, lying between the Southerly End of the third Clift, so called, and the Mouth of the *North River*; *the Penalties for turning or driving Neat Cattle, Horse Kind, Sheep or Goats upon such Beach, Humocks or Sedge Ground, adjoining to said Beach to feed thereon, are to be recovered from him or them that shall so drive said Cattle, Horse Kind, Sheep or Goats, or from the Owner or Owners of them that shall so order them to be driven. And it is found by Experience, that Proof thereof can seldom be obtained, whereby the good End and Design of said Act in a great Measure is defeated:*

Neat Cattle and other Creatures to be impounded if found feeding on the Meadows &c.

Be it therefore enacted by the Lieutenant Governour, Council and House of Representatives, That if any Neat Cattle, Horse Kind, Sheep or Goats, shall be found feeding on said Beach, Humocks, Meadows or Sedge-Ground, adjoyning to said Beach, it shall and may be lawful for any Person to Impound the same, such Person to observe the Rules and Directions in the said Act prescribed in Case of Impounding; and the Owner or Owners of them, shall forfeit and pay to the Impounder, *One Shilling* a Head for all Neat Cattle and Horse Kind, and *two Pence* for every Sheep or Goat, and the said Penalties or Forfeitures shall be paid before the Creatures which shall or may be Impounded by Virtue of this Act be discharged or released by the Pound-keeper.

Rates to be paid for such impounded Creatures.

Provided nevertheless, The Owner or Owners of the Creatures so Impounded, may (if they think fit) replevie such Creatures on Condition they give sufficient Bond with one or more Sureties to prosecute such Replevin to Effect, before some Justice of the Peace in the same County, within fifteen Days from the Date of such Replevin, and to pay all such Forfeitures and Costs as shall be awarded or adjudged against them.

CHAP.

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