

natural-born subjects now do, any law, usage or custom to the contrary thereof notwithstanding.

Passed June 20, 1759. Repealed by the King in Council, September 2, 1760. See Appendix XXIII, Section I.

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CHAPTER CCCCXLVI.

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

Whereas many mischievous and unlawful games called lotteries have been set up in the city of Philadelphia, 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 William Denny, 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, 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 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 county court of quarter-sessions within this province where the said offenses shall be committed or in the supreme court thereof, 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 other 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 and devices by whatsoever name the same may be called, and be 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.

And whereas sundry evil-disposed persons, with design to elude and evade the force of the wholesome laws made in the neighboring province of New Jersey against lotteries and the penalties thereof, have set up, made and erected sundry lotteries and drawn the same on Biles' Island in the river Delaware, a place contiguous to but out of the jurisdiction of the said province, and have sold great part of the tickets of such lotteries to the people of this government to their manifest injury and against the common good of this colony:

For remedying whereof:

[Section IV.] Be it 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 tickets or ticket 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, either in the said island or any other island in the said river or in or at any place or places out of this province, 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.

And whereas several companies of idle persons and strollers have come into this province from foreign parts in the characters of players, erected stages and theaters and thereon acted divers plays, by which the weak, poor and necessitous have been prevailed on to neglect their labor and industry and to give extravagant prices for their tickets, and great numbers of disorderly persons have been drawn together in the night to the great distress of many poor families, manifest injury of this [young] colony and grievous scandal of religion and the laws of this government:

[Section V.] Be it therefore enacted by the authority aforesaid, That every person and persons whatsoever that from and after the first day of January, which will be in the year of our Lord one thousand seven hundred and sixty, shall erect, build or cause to be erected or built any playhouse, theatre, stage [or] scaffold, for acting, showing or exhibiting any tragedy, comedy or tragi-comedy, farce, interlude or other play or any part of a play whatsoever, or that shall act, show or exhibit them or any of them or be in anyways concerned therein, or in selling any of the tickets aforesaid in any city, town or place within this province, and be thereof legally convicted in manner aforesaid, shall forfeit and pay the sum of five hundred pounds lawful money aforesaid.

[Section VI.] And be it further enacted by the authority aforesaid, That all the fines, forfeitures and penalties hereby inflicted shall be paid to the contributors of the Pennsylvania Hospital to and for the use of the said hospital and to and for no other use whatsoever.

[Section VII.] 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

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

“that if any person or persons shall presume or take upon him, her or themselves, from and after the publication of the said act, upon any pretense whatsoever, privately or publicly to 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, and the other moiety to any person that will sue for the same,” is hereby repealed and declared to be null, void and of none effect.

Passed June 20, 1759. Repealed by the King in Council, September 2, 1760. See Appendix XXIII, Section I.

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## CHAPTER CCCCXLVII.

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AN ACT FOR RECORDING OF WARRANTS AND SURVEYS, AND FOR RENDERING THE REAL ESTATES AND PROPERTY WITHIN THIS PROVINCE MORE SECURE.

Whereas many inconveniencies and losses have arisen and happened to the inhabitants of this province for want of a proper office for the recording of warrants and surveys, and of an officer appointed under the necessary qualifications and security well and faithfully to execute and discharge the duties of the said office, whereby the real property and estates within this government have been rendered and still are very insecure and precarious:

For remedying whereof and for preserving authentic duplicates of all such warrants and surveys, whereon the estates and properties of the freeholders of this province so much depend:

[Section I.] Be it enacted by the Honorable William Denny, 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