A great majority of the lotteries were for schools and churches, from each of which a few hundred or at most a few thousand dollars was sought. As a rule, these sums could be obtained from a single scheme of from 2,000 to 15,000 tickets with prize awards of from $6,000 to $125,000. A good example of the single scheme lottery was one authorized in 1789 for raising the sum of $8,000 for defraying the expenses of erecting a Common Hall in the City of Philadelphia and $2,000 for the use of Dickinson College in the Borough of Carlisle. The scheme provided for the sale of 12,500 tickets at $4.00 per ticket, on each of which was printed “City Hall and Dickinson College Lottery.” The $50,000 thus obtained was to be awarded in prizes to the holders of the 3,867 prize tickets on the following plan:

<table>
<thead>
<tr>
<th>Number of Prizes</th>
<th>Prize Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$3,000</td>
</tr>
<tr>
<td>1</td>
<td>$2,000</td>
</tr>
<tr>
<td>2</td>
<td>$1,500</td>
</tr>
<tr>
<td>3</td>
<td>$1,000</td>
</tr>
<tr>
<td>10</td>
<td>$500</td>
</tr>
<tr>
<td>20</td>
<td>$200</td>
</tr>
<tr>
<td>30</td>
<td>$100</td>
</tr>
<tr>
<td>50</td>
<td>$50</td>
</tr>
<tr>
<td>100</td>
<td>$20</td>
</tr>
<tr>
<td>150</td>
<td>$10</td>
</tr>
<tr>
<td>3,500</td>
<td>$6</td>
</tr>
<tr>
<td><strong>3,867</strong></td>
<td><strong>$50,000</strong></td>
</tr>
</tbody>
</table>

20 percent was to be deducted from the value of each prize ticket to serve the purpose of the lottery, making a total of $10,000.\(^{128}\)

In the lotteries to raise a larger sum of money, a
number of classes or schemes, depending upon the amount of money to be obtained, would be devised. Various plans were used to make the sale of tickets as alluring as possible. The most common method was to fix the price of tickets and prizes so that they would increase in value with each succeeding class and so that ownership of tickets in the lower classes carried certain preemption rights in the upper classes. In other instances, the tickets were divided into as many billets as there were classes and entitled their owners to chances in all the classes. As a rule, the tickets in the first class were sold, the drawings made and the prizes awarded, before the books of the next class were opened.

Following is a three class lottery advertisement taken from "The Pennsylvania Gazette," March 9, 1769, in which a detailed description of a typical scheme is contained:

"Philadelphia and Worcester Lottery,
"For raising the Sum of Three Thousand and Ninety-nine Pounds, Twelve shillings, by Virtue of an Act of Assembly, passed the 18th of February, 1769, to be applied to such public Uses as are therein particularly directed.

"THE SCHEME.
"CLASS THE FIRST.

<table>
<thead>
<tr>
<th>Prize of</th>
<th>200 pounds</th>
<th>200 pounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>50</td>
<td>150</td>
</tr>
<tr>
<td>6</td>
<td>25</td>
<td>150</td>
</tr>
<tr>
<td>25</td>
<td>10</td>
<td>250</td>
</tr>
<tr>
<td>50</td>
<td>5</td>
<td>250</td>
</tr>
<tr>
<td>1,307</td>
<td>10 shillings</td>
<td>1,060 10 shillings</td>
</tr>
<tr>
<td>1,393 Prizes</td>
<td></td>
<td>3,060 10 &quot;</td>
</tr>
<tr>
<td>3,773 Blanks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5,166 Tickets, at 15 shillings each</td>
<td>3,874 10 &quot;</td>
<td></td>
</tr>
<tr>
<td>&quot;Deduct the Sum of the above Prizes</td>
<td>3,060 10 &quot;</td>
<td></td>
</tr>
<tr>
<td>&quot;The Remainder to be carried to the Third Class</td>
<td>814 0</td>
<td></td>
</tr>
</tbody>
</table>
Lotteries in Pennsylvania Prior to 1833. 161

"CLASS THE SECOND.

<table>
<thead>
<tr>
<th>Prize of 500 pounds is</th>
<th>500</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>200</td>
</tr>
<tr>
<td>4</td>
<td>100</td>
</tr>
<tr>
<td>10</td>
<td>50</td>
</tr>
<tr>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td>25</td>
<td>10</td>
</tr>
<tr>
<td>50</td>
<td>5</td>
</tr>
</tbody>
</table>

1,201 2 "10 shillings 3,002 10

1,302 Prizes 5,352 10
3,864 Blanks

5,166 Tickets, at 25 shillings each 6,457 10

"Deduct the Sum of the above Prizes 5,352 10

"The Remainder to be carried to the Third Class 1,105 0

"CLASS THE THIRD.

<table>
<thead>
<tr>
<th>Prizes of 1,000 pounds is</th>
<th>2,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>500</td>
</tr>
<tr>
<td>4</td>
<td>250</td>
</tr>
<tr>
<td>8</td>
<td>150</td>
</tr>
<tr>
<td>15</td>
<td>100</td>
</tr>
<tr>
<td>25</td>
<td>50</td>
</tr>
<tr>
<td>30</td>
<td>25</td>
</tr>
<tr>
<td>50</td>
<td>10</td>
</tr>
<tr>
<td>1,017</td>
<td>3</td>
</tr>
</tbody>
</table>

1,153 Prizes 12,251
4,013 Blanks

5,166 Tickets, at 40 shillings each 10,332

Brought from the First Class, 814
Brought from the Second Class, 1,205

12,251

"The Scheme of this Lottery is far more favorable to the adventurer than most that have heretofore been published. Tho' the Price of Tickets, in the First Class, is only Fifteen Shillings, yet a Person being fortunate in that, may be enabled to go through the other Classes, without any additional Expence, and thus have a Chance of drawing three Prizes, one of 200, one of 500 and one of 1,000 pounds.

Vol. XLVIII.—11
"In this Scheme there are about three Blanks to a Prize, so that a Person can hardly, at the ordinary Rate of Chances, go through the Classes, even for a single Ticket, without drawing one Prize at least.

"The Third Class is made very rich, by the Ballances which are transferred from the First and Second Classes. And in order to enlarge the Number of Valuable Chances to each Adventurer, Care has been taken not to throw too large a Sum into one Capital Prize; hence this Class alone, besides two Prizes of 1,000 pounds each, contains 84 Prizes, from 25 to 500 pounds, a much greater Number than is generally found in Lotteries in this Size.

"The Price of a Ticket, in the First Class, is Fifteen Shillings, in the Second Class Twenty Five Shillings, and in the Third Class only Forty Shillings and the Adventurer in the First Class, has the exclusive Privilege of renewing his Ticket in the Second, and so on in the Third Class, provided he does it within two months after the Drawing of each Class. Thus, by laying out small Sums at a Time, or perhaps no more than one small Sum in the First Class, the Adventurer obtains a greater Number of valuable Chances, than he could possibly have purchased on such easy Terms in any Lottery of the usual Construction."

Then followed the names of the managers and of the places where the tickets might be obtained and a brief statement concerning the deduction of 15 percent on each ticket to be used for the purposes for which the lottery was established.

In a four class lottery conducted by the College, Academy, and Charity School of Philadelphia in 1755 for raising 9,375 Pieces of Eight still a different plan was used. In the scheme advertisement published in the "Pennsylvania Gazette," April 3, 1755, occurs the following:
Lotteries in Pennsylvania Prior to 1833. 163

"Explanation.

"A Lottery, in the common Form, is subject to these Inconveniences. If the Price of each Ticket be high, many, who would have been Purchasers, are discouraged and excluded. If low, the Number of Tickets must be great, and the occasions of the Drawing to take more Time, which increased the Expence, and is an injury to many, who neglect other Business to attend it. If the Capital of the Lottery is large, 'tis an inconvenience that so much Money as is necessary to fill it, should be damm'd up, and restrained from being current in Trade, till the whole is compleated, and all the Lottery drawn.

"The present Scheme is calculated to remedy these Inconveniences. It divides the Lottery into four distinct Classes, to be drawn at four different Times, and is so contrived, as that all the four Drawings will take but little more Time than one Drawing would do in the common Way. The Price of a Ticket is also divided into four gradual Payments, to be made, if the Buyer pleases, at four different and distant Times. The first Entry is low and easy and if the Adventurer is successful in the first Class, he is enabled as well as encouraged to go on. And a very great Part of the Money is to return several Times into the Hands of the People before the Conclusion.

"The four Billets into which each Ticket is divided, are all of the same number, but of different Prices, according to the several Classes to which they belong.

"Every Adventurer in the first Class, receives a Billet for each Piece of Eight he pays, entitling the Bearer to such Prize in that Class as may be drawn against its Number, subject to no Deduction, unless the Prize be Twenty Pieces of Eight, or upwards. For a like Billet in the second Class he pays two Pieces of Eight. For a Billet in the third Class three Pieces of Eight; and four for a Billet in the fourth Class:
So that the Price of a whole Ticket, to go through the Lottery, is Ten Pieces of Eight.

"Adventurers in the first Class have a Right to go thro' the subsequent Classes, but are not obliged to do it. If any neglect or decline taking out, or paying the Price of their Billets for a subsequent Class, till within three Days of the Drawing of such Class, the common Stock is to have the Benefit of it to the End; unless such Adventurers have left equivalent Prizes for that Purpose in the Hands of the Managers, which is the same Thing as paying: And the greatest Number of Prizes in the first, second, and third Classes, are made just the Price of a Billet in the Class next succeeding, that such Prizes may defray the Charge of new Billets, without the Trouble of paying Money.

"A Sum equal to Twelve and a Half per Cent. on the whole, is to be deducted from the fortunate Tickets for the Use of the Academy and Charity School: But as it would occasion Trouble in making Change, and be otherwise inconvenient, if such Deduction was to be made from the smaller Prizes, (which indeed cannot so well afford it) therefore nothing is deducted from any Prize that is under Twenty Pieces of Eight. And the Prizes are so calculated and order'd, that 15 per Cent. which is to be deducted from such as are Twenty Pieces of Eight, and upwards, is equal to Twelve and a Half per Cent. on the Whole, and no more. Thus this Lottery is Two and a Half per Cent. more advantageous to Adventurers, than any that have lately been made on this Continent. And there are yet several other Advantages; for in the first Place, the Adventurer's whole Ticket cannot be struck dead at a Blow, as in common Lotteries. If he has a Blank in the first Class, 'tis a Blank only of one Tenth of his Ticket, and he has still three good Chances left for the remaining nine Tenths, every Chance better than the preceding One, and the last best of all. Then he is under no Necessity
of paying the whole Ten Pieces of Eight for each Ticket at once; and, if fortunate in the first Class, may have occasion to advance no more than the first. In former Lotteries, the Price of a Ticket was Thirty, and in some Forty Shillings, the whole to be paid at once, and yet its best Chance was to be doubled but 3 or 400 times. In this Lottery one Piece of Eight may possibly gain several Thousands. And lastly, the Number of Prizes is more than Half the Number of Tickets. . . .

"The Manner of Drawing is this: All the 7500 Numbers are to be put into one Wheel, and well mixed, the Wheel to be frequently turn'd during the Drawing. In the other Wheel are put the Prizes of the first Class, without any Blanks among them. Then a Number is drawn out of one Wheel, and a Prize against it out of the other, till the Prizes are all drawn; so ends the Drawing of the first Class, which may be finished in one Day.

"The rest of the Numbers remain in this Wheel, seal'd up, till the Drawing of the second Class.

"The Prizes drawn in each Class may be demanded within three Days after the Drawing of that Class is finished.

"Six Weeks time is to be allowed between the Drawings to take out Billets for the succeeding Class, prepared for drawing it, etc.

"Before drawing the second Class, all the Numbers drawn out in the first Class are again to be roll'd up and tied, put into the Wheel to the rest, and well mixed among them.

"Then the Prize of the second Class being put into the other Wheel, without Blanks, the Drawing proceeds as in the first Class.

"In the same Manner is the third Class managed.

"In drawing the fourth and last Class, Blanks are to be mixed with the Prizes, so many as to draw out
all the Numbers in the Number Wheel, and complete the Whole. . . .”

The price of tickets in the 177 lotteries under discussion varied from $2 to $50 per ticket, although the $3, $4, and $5 ticket predominated. As a general rule where the price of tickets exceeded $5, the capital and higher prizes were much larger in proportion than in the lotteries where tickets sold for $2, $3 and $4 each.

Previous to 1780, most of the lotteries disposed of their tickets through the members of interested organizations or friends without cost. As the number, however, of the state authorized and foreign lottery tickets multiplied, a regular business of disposing of tickets and managing lotteries developed in the larger cities of the state. Thus it became easy for those individuals who promoted special lottery schemes for public purposes to avoid the disagreeable task of selling lottery tickets to their friends and neighbors by placing their sale and management in the hands of professional brokers. This business proved so lucrative to those engaged in it that the number of lottery brokerage houses increased to upward of 200 in the city of Philadelphia alone in 1832. Many of these maintained branch offices or business connections in the smaller towns of the state. Scarcely a town that could boast of a thousand inhabitants was without its lottery broker, and in such places as Harrisburg, Lancaster, Greensburg, Washington, and Reading several existed in each. As competition for the sale of tickets developed, various plans were devised for making tickets attractive to prospective buyers, such as credit, weekly payments, payment in kind, and the division of tickets into halves, quarters, eighths, and, in a few instances, sixteenths to attract boys and girls. Out of this practice developed many abuses, such as selling six, seven or more quarters of a single ticket. It was common for brokers to attract adventurers by
Lotteries in Pennsylvania Prior to 1833. 167

capitalizing the fortunate ticket holders by publishing the names with the value of their prizes of those who had made their purchases through these brokers and by adopting attractive names for their brokerage firms. Among these titles were: "Allen's Truly Lucky Office," Philadelphia; 132 "Lucky Lottery Office," Philadelphia; 133 "Waite’s Truly Fortunate Lottery and Exchange Offices," Philadelphia; 134 "Bryne’s Lucky Office," Philadelphia; 135 "Good Luck," Greensburgh; 136 "Carson’s Old Gold Mint," Philadelphia; 137 "Latshaw’s Lucky Office," Lancaster. 138 In the newspaper advertisements of "Latshaw’s Lucky Office" at Lancaster was usually printed a poem of seventeen lines the last of which ran as follows:

"If once Dame Fortune lets you draw,
"You'll find her faithful ever:
"Her only agent is Latshaw
"And he'll forget you never." 138

"Hope and Company," Philadelphia brokers, in 1808, invited the ladies who were not obliged to "consult their cautious plodding husbands" to buy tickets in the Universalist Church Lottery or in the Holy Trinity Lottery and thus gain "one or more of the many dazzling prizes" which "await the claim of beauty." 140 A Philadelphia broker, Edward Mott, in 1805, in a Lehigh Navigation Lottery advertisement, "respectfully informs his numerous friends and the public—his arrangement for the clubs in lottery has given such general satisfaction, (that without any public communication of the scheme) he has upwards of 30 clubs, of 500 tickets each, besides a number of clubs of a smaller degree, nearly completed, which with other considerable sales, already made, and his confidence of increased sales now the scheme is published, he will soon be enabled to fix upon the time for commencing the drawing.

"N. B. The Clubs of 500 tickets, are divided into
25 shares, of 20 tickets each, payable by 6 installments, viz. by cash, and on the first day of January and April ensuing, the three remaining payments on the conclusion of the drawing, and then from the prizes. The advantages of these terms, must strike the least discerning mind, that beside the two fold chance of prizes for the money advanced to anything yet offered to the public—the payments are made easy, and such purchasers will not be liable to any future advance of price, which the sales, from the admirable construction of the scheme, will soon make expedient.

"Parties may form clubs themselves, or individuals may have tickets upon the same terms—orders from any part of the Union, punctually executed, and prizes of other Lotteries taken in payment."

The broker's fee appears to have been fairly uniform at $1 per ticket for tickets not exceeding $4 and proportionally more for higher priced tickets. This commission was added to the price of the ticket. The profits thus accruing to the lottery brokers represented twenty or twenty-five percent of the total sum paid by the ticket purchasers. During the period of the legalization of lotteries in the state, when at least 8,000,000 tickets were placed on the market, the brokers' profits must have been several million dollars. To this must be added their profits on the sale of foreign lottery tickets, which must have been as great as, if not greater than, those derived from state lotteries.

The number and the value of prizes in the different schemes were about as varied as the number of schemes themselves. The percentage of prize tickets ranged, as a rule, from one fifth to one half of the total number of tickets in the scheme. When the percentage of prize tickets was large, the capital and other prizes were usually fairly small, and vice versa. While the great majority of lotteries in Pennsylvania were single scheme lotteries with a reasonably small number of
Lotteries in Pennsylvania Prior to 1833.

169 tickets and with prizes in proportion, a few of the schemes, mostly for public improvements, had in each scheme from 10,000 to 30,000 tickets and awarded prizes equal to $100,000 or more, among which were some large prizes. The lottery for the improvement of the roads west of Philadelphia in 1782 awarded one prize of $15,000, one of $10,000, and one of $8,000.\textsuperscript{142} The Lehigh Navigation Lottery in 1805 had two prizes of $10,000 each.\textsuperscript{143} The Bustleton and Smithfield Turnpike Road Lottery of 1806 had one prize of $20,000 and one of $10,000.\textsuperscript{144} The Pennypack Academy Lottery of 1811 gave one $10,000 prize.\textsuperscript{145} The Internal Improvement Navigation Lottery of 1820 managed by the state offered prizes: one of $100,000, one of $25,000, ten of $10,000, and four of $5,000.\textsuperscript{146} The Union Canal in its various schemes had capital prizes ranging from $100,000 to $10,000.\textsuperscript{147} The Washington Monument Lottery of 1811, thousands of whose tickets were sold in Pennsylvania, offered one prize of $50,000 one of $30,000, one of $20,000, and two of $10,000.\textsuperscript{148}

A number of different methods of "drawing lotteries" were used in Pennsylvania. But the early lotteries appear to have resorted to one of two plans. The first of these entailed considerable work. Three sets of identical tickets were printed. One set was sold; and the tickets in the second set were rolled separately and placed in a lottery box, which was then sealed, while the third set was kept for checking purposes. Two sets of the prize tickets with their respective values printed on them were issued. The tickets in one of these sets were rolled separately and placed in a second lottery box, which was also sealed. The second set was kept for checking purposes. After the sale of tickets had been completed and the day for the drawing set and publicly announced, the managers or certain designated persons opened the two boxes and had two men draw simultaneously from them. The
tickets taken from the first box were awarded the prizes marked on the tickets drawn from the second box. This process, a slow and tedious one for large schemes, continued until all the tickets had been drawn from the prize box. In many instances, two wheels were used instead of boxes. With the growth in the number and the size of lottery schemes, a second plan of drawing, known as the Ternary Combination system, came into general use, by which prizes were awarded to combinations of numbers rather than to individual numbers. These combinations were determined by the use of the wheel. By this means the drawing in a 75,000-ticket scheme could be completed in less than an hour. While this system proved to be a great timesaver and on the whole worked satisfactorily, it was frequently asserted that professional lottery dealers could and did manipulate the combinations so that few large prizes were drawn.

The individual or the institution in whose interest the lottery was organized received his or its profit by deducting a certain percentage, usually 15% or 20%, from each prize won. The amount of this percentage was always printed with the scheme. Thus in a lottery of 15,000 tickets at $4.00 each, where 20% was to be deducted for the purposes for which the lottery was established, $60,000 minus 20%, or $48,000, would be awarded in prizes and $12,000 would go to the purposes of the lottery.

The tremendous odds against each purchaser of a lottery ticket are evident from a study of the figures given in this illustration. The ticket purchasers paid at the rate of $4.00 per ticket for each of the 15,000 tickets, or $60,000, to the managers of the lottery and $1.00 per ticket, or $15,000, to the ticket brokers, making a total of $75,000, for which the fortunate ticket holders received in prizes $48,000, or 64% of the
Lotteries in Pennsylvania Prior to 1833.

amount actually paid out by the owners of the 15,000 tickets.\textsuperscript{151}

In the great reform movement which swept over the country in the late twenties and early thirties, when slavery, prohibition, the treatment of the Indian, Sunday mail, factory and labor legislation, suffrage, and other governmental reforms were widely discussed and critically analyzed from the moral viewpoint, came a renewal of the demand for the entire abolition of lotteries in the state. The many irregularities and evils of the lottery system had become more and more pronounced as the number of tickets placed on the market had increased the competition between the hundreds of brokers in the state. As a result, between 1828 and 1833, many petitions from all parts of the state were presented to the Legislature setting forth the evils of the lottery system and asking for the passage of drastic legislation on the subject.\textsuperscript{152}

In his annual message to the Assembly in 1831, Governor George Wolf stated that "a kindred evil to that of intemperance, however, equally ruinous to the morals and destructive to the comfort and happiness of the community, is the practice of selling foreign lottery tickets within this commonwealth, which has been permitted to progress for many years, and is still tolerated amongst us; no successful effort having heretofore been made to arrest it, and so long as we have a lottery drawn within the State by authority of law, we must expect a continual influx of tickets upon us from other states, the sales of which will be cloaked and connived at, under the legalized sales of tickets of the Union Canal Lottery, and such is the infatuation produced upon the community, by this fascinating and alluring enticement to adventure, that until there shall be no longer a vestige of a lottery authorized by law, tolerated in the State, the several acts of assembly, providing severe penalties against the venders of foreign or un-
authorized lottery tickets, will remain a dead letter, and will not be enforced against offenders.’’ Governor Wolf then recommended that with the expiration of the rights and privileges granted to the Union Canal Lottery, December 31, 1833, ‘‘or sooner if practicable, such arrangements with the company, should, if possible, be made consistent with good faith, as would relieve the commonwealth from a great and apparently interminable moral evil. It is believed that by expunging from the statute book that last act to be found there in favor of lotteries, a great and lasting benefit would accrue to the community at large, or the foundation on which the mischief rests would then be entirely eradicated; and by providing for a rigorous prosecution of the laws already in force against the vendors of foreign tickets in our own State, without the authority of law, an end would soon be put to a grievous and growing moral malady and the community would be relieved from a species of taxation which, although voluntary, is of the most onerous, oppressive and ruinous kind.’’ Although it was discussed at length, no action was taken by the Assembly.

In his message the following year, Governor Wolf again emphasized the need for more drastic lottery legislation. In part he said, ‘‘A more pernicious, ruinous and demoralizing evil can scarcely be imagined. The contract of Messrs. Yates and M’Intyre, with the Union Canal Company, will expire in one year from the last of this month. Permit me, therefore, to recommend the subject to your attention as one deserving the immediate consideration and the prompt and efficient action of the General Assembly. It is believed that measures might be taken in the course of the present session, which, whilst the public faith would be preserved, would put an end to the existing evil.’’ An administration bill for the entire abolition of lotteries was then introduced in the House. A state wide
organization came into existence to influence the passage of the bill. A memorial was prepared, copies of which were printed and sent throughout the state to friends of the bill for signatures. These were later presented to the Assembly, some of them bearing nearly two hundred names. Nevertheless, when the final vote was taken the bill failed of passage in the Senate, although it had previously passed the House 76 to 6. The efforts of the anti-lottery forces throughout the state continued through the summer and were renewed with increased vigor during the meetings of the Assembly of 1833. As in the previous session, petitions signed by hundreds of citizens poured in upon the Assembly. A Committee of citizens in Philadelphia ordered for distribution 5,000 copies of a carefully prepared pamphlet of 47 pages written by John R. Tyson, Esq., of Philadelphia, on the history of lotteries in the United States. In this Mr. Tyson gave a graphic description of the evil effects of the lottery system. In part he said: "Upon what principle can enlightened legislation, having other objects and duties, permit an instrument of this sort to continue? Is it for the value of the money raised, or is it because the losses incident to lottery speculation may be considered in the light of voluntary taxation? Its deluded victim does not regard it as a tax, but as a road to sudden wealth, dispensing with the necessity of labour. If it be called taxation, it is unjust because it is unequal, and comes chiefly from the pockets of the poorest of the people. May not money be raised by the mode which is equal in its operation, which takes from the rich man in proportion to his property, and which, not confined to the necessitous, will not dry up the means of future support, and cut off the possibility of future contributions? If the physical improvement of the state be one object of the lottery, let us not forget what more than countervails the benefit—the moral
deterioration of the citizen. If revenue be the object, let us not forget that larger expenditures will be requisite for the construction of new almshouses and new penitentiaries. In fine, there is no mode of raising money which is so unequal and oppressive—no species of adventure in which the chances are so many against the adventurer—none in which the infatuation attending it is so powerful and engrossing—none which inflicts so much distress—none which produces more general atrocious criminality. . . . The great question remains, what will have the effect of extirpating so prodigious an evil? Experience has proved, both in England and in America, that no regulations can palliate its mischief, and no prohibitions, though armed with penalties, are adequate to give to it a prescribed restriction. If the act of 1805, passed by the Assembly of Pennsylvania, for preventing insurance by forfeitures be coolly contemned—if the act of 1792 and 1811, likewise annexing pecuniary penalties to the sale of foreign tickets be inadequate in their purpose, what confidence is to be reposed in fines and forfeitures? Could not its destruction be effected by imposing imprisonment as for a criminal offence? Should not that which destroys the peace of families and is the origin of every criminal excess, be itself visited by criminal punishment? We commend the subject to the anxious and deliberate attention of the philanthropist and patriot, as incalculably momentous to the present well being of society, and to the future prospects of the country. . . . May we ask whether its continuance by law should be permitted, under a form of government which depends for its existence and conservation upon the high minded purity of its members? Whether that which is so directly at war with the whole policy of this country, whose every interest consists in making wealth the fruit of intelligent industry and presenting every incentive to useful and honorable exertion, should be
cherished and nourished by the genial sunshine of protective legislation?" 158

Mr. Tyson then presented a list of insolvent persons in Philadelphia whose insolvency was attributed by the petitioners themselves before the court to losses sustained in dealing in lotteries. These ranged from 3 to 17 per year between 1828 and 1832. Extracts from this pamphlet were printed in newspapers throughout the state. It appears to have had considerable influence upon the final action of the Legislature in 1833 in passing the act for the "entire abolition of Lotteries."

This act stated that from and after December 31, 1833, "every lottery and lotteries, and device and devices in the nature of lotteries, shall be utterly and entirely abolished." Section one imposed a fine of from $100 to $2,000 upon any person "who shall make, sell or offer for sale, or have in his possession with intent to sell, or offer for sale, or be in any way concerned in the sale of any lottery ticket, or shall be in any way concerned in the management or drawing of a lottery." The act also imposed a heavy penalty upon those convicted of advertising for sale lottery tickets, signs or symbols. 159

The passage of this act placed Pennsylvania in the van guard of the nation-wide fight against the lottery system, as only two or three states had preceded her in the enactment of effective legislation against lotteries. Recognizing the many difficulties which she would encounter in the enforcement of the law due to the fact that most of the neighboring states not only tolerated but licensed lotteries, a special effort was made to secure the co-operation of her sister states and the federal government. In pursuance of this end the following resolution was adopted:

"Whereas, lotteries are an acknowledged evil of great magnitude vitally injurious to the morals and industry of any community; And whereas, the public
and private injuries resulting from lotteries can only be remedied by their total abolition; And whereas, our state cannot effectually suppress the sale of lottery tickets, and the pursuit of this mode of gaming, without the co-operation of the other states of this Union; And whereas, the state of Pennsylvania has recently enacted that all lotteries shall be totally abolished in said state from and after the thirty first day of December next and has prohibited the sale of any ticket or tickets within the same after said period, therefore the Governor . . . " was instructed to send a copy of the bill and the resolution to the Governors of all the states and to the President of the United States, to whom the request was made "that he will, at the earliest period, lay the same before Congress and use such measures as may, in his opinion, be best calculated to effect the entire abolition of lotteries within the District of Columbia." 160

While the act of 1833 was more effective than any previous measure in restricting the number and the character of lotteries, means were soon discovered by which many of the provisions of the law were avoided in the establishment of camouflaged lotteries. These, however, were not numerous and were fairly unimportant. Nevertheless, the opponents of the system were determined to remedy the defects in the act of 1833 by further enactments.

This law of 1833, while forbidding under severe penalties foreign and private lotteries, did not take from the Legislature the right previously exercised of authorizing lotteries. Although the sentiment in the several Legislatures during the thirties was extremely hostile to the whole lottery system, the opponents of the lottery system were afraid that some future Legislature might entertain a different attitude and reintroduce the evil by special authorization. Consequently, previous to and during the meetings of the
Constitutional Convention in 1837, a state wide movement sprang into existence, similar to that of 1831–33, which had as its object the insertion of a clause in the Bill of Rights stating that “The Legislature shall never sanction or authorize any lottery.” Numerous petitions to this effect were presented to the Convention. Unfortunately, however, the measure was defeated when it came before the Convention for final decision.¹⁶¹

The defeat of the effort to obtain constitutional prohibition against legislative authorization of lotteries did not discourage the introduction of anti-lottery bills in the Legislature many times during the next few years. It was not until 1860, however, that the next and final important lottery enactment occurred. In that year, lotteries were declared to be nuisances and invalid and void. It was further enacted that “If any person shall, within the state, either publicly or privately, erect, set up, open, make or draw any such lottery as aforesaid, or be in any way concerned in the managing, conducting or carrying on the same, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine, not exceeding $1000, and undergo by separate and solitary confinement at labor not exceeding one year.” The selling of tickets or policies in lotteries or of advertising the sale of tickets or lottery schemes was also pronounced a misdemeanor and subject to a fine of not more than $1,000 and imprisonment of not more than two years.¹⁶² This measure by reason of its scope and its severe penalties, together with the awakening of public sentiment, caused the rapid disappearance of what remained of the lottery system in Pennsylvania.

While the records show the accomplishment of a large number of public enterprises and the aid of religious, benevolent, and educational works which might otherwise have been delayed for years, they do not show the terrible unwritten record of all the vanished
visions of wealth, the blasted day dreams of fortune, the blighted anticipations, the luring temptations, the yielding to wrongs, the bitter disappointments, the agony of remorse, the sorrowful poverty, the miserable ruin, and the wretched suicides. It took a long time to see that the evil outweighed the good and that the public gain was no compensation for public or private injury. As is the case with most moral reforms, the time comes when the system is seen in its true light and is banished from the state by an aroused public sentiment. Such was the case in Pennsylvania. By the act of 1833 Pennsylvania assumed a position of pioneer in a great movement for good that resulted three quarters of a century later in national legislation that completed the struggle begun by Pennsylvania, New York, and Massachusetts.

REFERENCES.

131 “Pennsylvania Reporter,” March 20, 1832.
133 Ibid., June 18, 1817.
134 Ibid., Jan. 8, 1818.
135 Ibid., Jan. 10, 1818.
136 “Greensburgh Gazette,” May 5, 1826.
137 “Pennsylvania Reporter,” March 20, 1832.
138 “Lancaster Intelligencer,” Apr. 24, May 1, 1827.
139 Ibid., Apr. 24, July 10, 1827.
144 Ibid., Apr. 18, 1806.
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Lotteries in Pennsylvania Prior to 1833.

148 "Intelligencer and Weekly Advertiser" (Lancaster), Aug. 19, 1820. The various schemes conducted by the state contained some large capital prizes.

147 See footnote 102.


151 "Niles' Register" for 1826 says: "The Lottery system always objectionable and under no circumstances (though it may be tolerated in some), worthy of entire approbation as now practiced in the United States acts as the most extensive fraud upon the oppression of the poor and the unreflecting, that we have ever been acquainted with,—whoever purchases a ticket in them encounters an odds against himself equal to about forty percent. That is, if the price of the ticket is five dollars the amount put into the scheme against it is only three dollars. This is indeed desperate gambling; and it is no wonder that the makers of such schemes are acquiring princely fortunes. And besides by the modes of combinations and permutations they can regulate the whole so that they cannot lose much, to balance their enormous gains on their duped customers. It is not a lottery with them—the risk is wholly with the purchaser." "Niles' Weekly Register," Vol. 31, p. 57.

152 Many of these petitions bearing the signatures of hundreds of people are to be found in the State Library at Harrisburg.


155 Original copies are in the manuscript division of the State Library at Harrisburg.


157 Original copies in State Library, Harrisburg.


159 "Laws of Pa.," 1833, p. 60.

160 Ibid., 1830, pp. 493–494.
