

to the governor of the commonwealth, and upon such certificates being presented, it shall and may be lawful for the governor to appoint five commissioners, to superintend the drawing of the said lottery, which said commissioners shall take an oath or affirmation, diligently and faithfully to perform the duties intrusted to them.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners, or any three of them, shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in at least three newspapers in the city of Philadelphia; and the said commissioners shall receive of the presidents and managers of the said companies two dollars each, for each day's attendance on the duties enjoining on them.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all prizes not demanded within twelve months after publication as aforesaid, shall be applied as aforesaid, to carrying on and completing the works of the said companies.

Passed April 17, 1795. Recorded L. B. No. 5, p. 482, etc.  
Supplement passed March 7, 1797, Chapter 1924.

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## CHAPTER MDCCCLV.

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### AN ACT RELATIVE TO DONATION LANDS.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the comptroller general of this state shall, and he is hereby directed, forthwith to form complete lists of the persons entitled to receive lands, agreeably to the act, entitled, "An act for directing the mode of distributing the dona-

tion lands promised to the troops of this commonwealth,"<sup>1</sup> passed the twenty-fourth day of March, one thousand seven hundred and eighty-five, whose names are not included in the list contained and referred to in the last report made by the comptroller general under the said act, and the said comptroller general shall annex thereto their rank, and the quantity of land to which they are respectively entitled, and shall transmit the same to the surveyor general, receiver general and secretary of the land office, or one of them; and the said surveyor general, receiver general and secretary of the land office, or one of them; and the said surveyor general and secretary of the land office shall contract with some suitable person or persons to prepare tickets, under their inspection, in the manner as is hereinafter directed, for all and every the officers and soldiers entitled to shares in the said donation lands, for whom lots have not heretofore been drawn, and the said surveyor general, receiver general and secretary of the land office shall and may agree with the said persons so to be employed, for his or their wages and compensation for the said service, to be paid on a warrant of the governor of this commonwealth (together with any other incidental expense that may attend the said lottery) on the treasurer thereof, out of the fund appropriated for the support of government, a certificate from the said surveyor general, receiver general and secretary of the land office being first produced and shown to the governor, stating the amount of the wages to which such person is entitled for preparing the said tickets, and also the incidental expenses, if any, that shall have attended the said lottery.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said person or person so employed as aforesaid by the said surveyor general, receiver general and secretary of the land office, shall cause numbers, corresponding to each of the four classes mentioned and described in the tenth section of the said recited act, to be made on pieces of square white paper, as nearly of an equal size as may be, and the said numbers, separately and carefully, in the presence of the said surveyor general, receiver general and secretary of the land office, to roll and bind up well with silken thread, as uniformly as possible, and deposit the same in four wheels, simi-

lar to lottery wheels, to be by them, the said surveyor general, receiver general and secretary of the land office, provided at the expense of the state for that purpose, which wheels shall be well turned round before any applicant be permitted to draw therefrom, and the same shall be frequently afterward repeated; and the same wheels shall be kept in safe custody by the said surveyor general, receiver general and secretary under seal, except when drawing from; and that the said surveyor general, receiver general and secretary shall and may draw out of the said wheels all the tickets, for the drawing of which all the said officers and soldiers entitled to draw the same shall not attend for that purpose, either themselves, or by their agents. Provided nevertheless, That no greater number of tickets shall be prepared and put into the wheels, than shall amount to the number of tickets to which the officers and soldiers shall be entitled who have not heretofore drawn their lots, and each applicant, by himself or order, shall be permitted, if a major-general, to draw four tickets from the wheel on the numbers containing five hundred acre lots; if a brigadier-general, three tickets from the said wheel; if a colonel, two tickets from the said wheel; if a lieutenant-colonel, one from the said wheel, and one from the wheel containing the numbers of the two hundred and fifty acre lots; if a surgeon, chaplain or major, two tickets from the wheel containing the number of the three hundred acre lots; if a captain, one ticket from the wheel containing the number on the five hundred acre lots; if a lieutenant, two tickets from the wheel containing the number on the two hundred acre lots; if an ensign, or regimental surgeon's mate, one ticket from the wheel containing the number on the three hundred acre lots; if a sergeant, one ticket from the wheel containing the number on the two hundred and fifty acre lots; and if a drum-major, fife-major, drummer, fifer, corporal or private, one ticket from the wheel containing the number on the two hundred acre lots; and that the said surveyor general, receiver general and secretary shall draw, in the same proportion, for those who are entitled to shares in the said land and have not received the same, and who shall not attend the drawing of the said lottery by themselves personally, or by an attorney.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That as soon as the said drawing shall be finished, the said surveyor general, receiver general and secretary shall make report to the governor of this commonwealth of the numbers drawn for or by each person entitled to shares of the said donation lands, who shall forthwith cause to be filled up and sealed with the said state seal, and signed and delivered, patents for the lots respectively corresponding to the numbers so drawn, which patents shall be so provided and printed at the expense of the state, and shall be expressed in the form prescribed by the said recited act.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the legal representatives of any person deceased shall be entitled to all the advantages and emoluments of this act, and to draw lots in the said lottery, in the same manner, and with the like effect, that they might have done if living, and also to have lots drawn for them, if absent, in the manner as above provided.

(Section V, P. L.) And whereas the terms heretofore limited by law appear to be too short to give opportunity to all persons entitled to shares in the said land for making application for the same. Therefore:

[Section V.] Be it further enacted by the authority aforesaid, That the term allowed for making applications for land under this act shall continue until the expiration of one year from and after the passing of this act. Provided nevertheless, That persons entitled to shares in the said donation lands, who are at the time of passing this act either beyond sea or out of the United States, shall be allowed two years from and after the passing thereof to make application for their right and title to the said land; and all persons who, at the time of passing this act, shall be officers or soldiers in the army of the United States shall be allowed three years from and after the passing this act to make their claim as aforesaid.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That after the expiration of the respective periods for making application as aforesaid, so much of the said donation lands, for which no application shall have

been made, may be disposed of in such manner as the legislature shall in the future by law direct.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the surveyor general shall give notice in one of the public newspapers in the city of Philadelphia, and in one public paper in each county of this state in which newspapers are printed, for six successive weeks, between the first day of May and the first day of August next, that the term limited by law is extended for the respective periods above mentioned.

<sup>1</sup>Chapter 1139.

Passed April 17, 1795. Recorded L. B. No. 5, p. 440, etc.

See Act of March 20, 1797, Chapter 1928, extending time for application for lands. See Act of April 11, 1799, Chapter 2081, extending time regulating proof of claims.

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## CHAPTER MDCCCLVI.

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AN ACT TO PROVIDE FOR LAYING OUT AND ESTABLISHING TOWNS AND OUT LOTS WITHIN THE SEVERAL TRACTS OF LAND HERETOFORE RESERVED FOR PUBLIC USES, SITUATED RESPECTIVELY AT PRESQUE ISLE, ON LAKE ERIE, AT THE MOUTH OF FRENCH CREEK, AT THE MOUTH OF CONEWANGO CREEK, AND AT FORT LE BOEUF.

In order to facilitate and promote the progress of settlements within this commonwealth, and to afford additional security to the frontiers thereof, by the establishment of towns within the several tracts of land heretofore reserved for public uses:

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the governor may and shall appoint two commissioners, to survey, or cause to be surveyed, one thousand and six hundred acres of land for town lots, and three thousand and four hundred acres of land, adjoining thereto, for out lots, at or near to Presque Isle, on Lake Erie, within the