

CHAPTER DCXLIX.

AN ACT TO ENABLE THE COMMISSIONERS THEREIN NAMED TO SETTLE THE ACCOUNTS OF THE MANAGERS OF A LOTTERY SET UP AND DRAWN FOR REPAIRING THE MEETING HOUSE, AND BUILDING OR REPAIRING THE HOUSE FOR THE RESIDENCE OF THE MINISTER OF THE PRESBYTERIAN CONGREGATION OF NEWTOWN, IN THE COUNTY OF BUCKS, AND TO SUE FOR AND RECOVER SUCH SUMS OF MONEY AS REMAIN DUE AND UNPAID ON ACCOUNT OF THE SAID LOTTERY.

Whereas it hath been represented by petition to the assembly that the Presbyterian congregation of Newtown in the county of Bucks were formerly permitted to raise by way of lottery the sum of four hundred and five pounds for repairing their meeting house, and building or repairing a house for the residence of their minister, and that although the said lottery hath been long since drawn, a great part of the moneys arising therefrom remains yet unpaid or appropriated to the uses aforesaid:

And whereas the petitioners, members of the said congregation, have requested that a law may be passed appointing commissioners to settle with the managers and other persons concerned in the said lottery, their executors and administrators, and to recover by due course of law, if occasion be, the said moneys arising therefrom, and to apply the same to the finishing a new meeting house in Newtown aforesaid, and such other purposes as the said congregation shall see fit:

[Section I.] Be it therefore enacted by the Honorable Richard Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and John Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania, 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 Henry Wynkoop, John Harris, Esquires, and Francis Murray be and they are hereby nominated and appointed commissioners to settle the accounts of the said

lottery with the said managers and every other person and persons concerned therein, their executors, administrators or assigns.

And in order to enable them to execute and perform the said duty:

[Section II.] Be it enacted by the authority aforesaid, That all and every the managers and sellers of tickets concerned in the said lottery, their and every of their executors and administrators, are hereby enjoined and required within three months next after the publication hereof, upon request to them or any or either of them made by the said commissioners, to render fair and just accounts of the moneys by them or any of them received, with the debts to them or any of them due and owing, for or on account of tickets sold, and the names of the person or persons who stand indebted to the said managers or any of them, their or any of their executors or administrators, for tickets sold as aforesaid, and upon settlement of such accounts with the said commissioners or a majority of them the said managers and sellers of tickets and every of them, their and every of their executors and administrators, upon any sum of money found in their hands or from them or either of them due, or from any other person or persons to them or either of them indebted for tickets purchased as aforesaid, shall and they are hereby enjoined and required forthwith to pay to the said commissioners, or a majority of them, the sums from them, respectively, due to the said lottery.

And the better to enable the said managers and sellers of tickets to settle and pay off their respective balances to the said commissioners, all adventurers and purchasers of tickets in the said lottery are hereby strictly enjoined and required forthwith to pay to the said managers and sellers of tickets all and every the sum and sums of money by them, respectively, owing and unpaid, and in default of payment as aforesaid it shall and may be lawful to and for the said commissioners, or a majority of them, and to and for the managers and sellers of tickets in the said lottery, to sue for and recover all such sums of money by action of debt, action on the case, or otherwise, as may be proper; if above five pounds, in any court of common pleas within this

province, if five pounds or under, before any justice of the peace, and upon trial to give this act and other legal proof in evidence; and if it shall appear to the court and jury or to the jury or to the justice of the peace aforesaid on any trial by virtue of this act before them respectively had that the sum demanded or any part thereof is justly due, then the said court or justice respectively, shall give judgment against the defendant for so much as shall appear to be due with costs of suit, and shall award execution for the same as is usually done in like actions before them respectively triable and determinable by the laws of this province; but if no part of the sum demanded shall appear to be due as aforesaid, then the said court or justice, respectively, shall give judgment for the costs against the plaintiffs, which costs shall be paid out of the moneys recovered or collected by virtue of this act.

[Section III.] And be it further enacted by the authority aforesaid, That the said commissioners shall with all convenient speed pay all and every the sum and sums of money by them recovered and collected into the hands of such person or persons as shall be appointed by the said Presbyterian congregation to receive the same, which person or persons so receiving the said sum or sums of money are hereby enjoined and required to apply the said moneys to and for completing the said meeting house and such other purposes as the congregation aforesaid shall order and direct, and to settle with and account for the same with the elders of the said congregation.

[Section IV.] And be it further enacted by the authority aforesaid, That this act and every article, clause and thing therein contained shall be and continue in full force for and during the term of three years from the publication thereof and from thence to the end of the next sitting of assembly and no longer

Passed March 21, 1772. Referred for consideration by the King in Council, January 15, 1773, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXX. Expired.