

the desk or pulpit of the said church in like manner as hereinbefore is directed and appointed for notifying and publishing the meeting of the trustees.

[Section XII.] (Section XX, P. L.) Provided always, and it is hereby enacted by the authority aforesaid, That the clear yearly value or income of the messuages, houses, lands, tenements, rents, annuities or other hereditaments and real estate of the said corporation shall not exceed the sum of five hundred pounds lawful money of the state of Pennsylvania, to be taken and esteemed exclusively of the moneys arising from the letting of the pews, and the contributions belonging to the said church and also exclusive of the moneys arising from the opening of the grounds or burials, which said money shall be received by the said trustees, and disposed of by them in the manner herein before described pursuant to the vote or votes of the members of the said church duly qualified to vote and elect as aforesaid.

Passed March 15, 1784. Recorded L. B. No. 2, p. 245, etc.

CHAPTER MLXXV.

AN ACT FOR RAISING, BY WAY OF LOTTERY, THE SUM OF FORTY-TWO THOUSAND DOLLARS, FOR IMPROVING THE PUBLIC ROADS LEADING FROM THE CITY OF PHILADELPHIA TO THE WESTERN PARTS OF THIS STATE, AND TOWARDS THE IMPROVING THE NAVIGATION OF THE RIVER SCHUYLKILL.

(Section I, P. L.) Whereas it is represented to this house, that the public roads leading from the city of Philadelphia to the western parts of this state are in bad repair, occasioned in some measure by the inability of the inhabitants of the several townships, through which the said roads pass, to improve the same; and it being of great consequence, that the most distant inhabitants should be enabled to bring the produce of their lands to market with the greatest facility, thereby the more effectually to promote the trade and commerce of this state:

And whereas it is also represented to this house that the improving the navigation of the river Schuylkill will be of great benefit to the inhabitants of this country, by enabling a vast number of them to bring their produce to market at a cheap rate and for [other] purposes therein mentioned.

For remedy whereof:

[Section I.] (Section II, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That Michael Hillegas, Benjamin Fuller and Mathew Clarkson, esquires, shall be and they are hereby nominated and appointed managers and directors of the lottery hereby instituted and directed to be drawn for the preparing and disposing of tickets, and to oversee the drawing of the lots, and to order and perform all such other matters and things as are hereinafter directed and appointed, by such managers and directors to be done and performed and that the said managers or a major part of them shall meet together at some convenient place by them to be appointed for the execution of the powers and trust reposed in them by this act, and shall cause four different sets of proper books to be prepared, in which each leaf shall be divided and distinguished into three columns and upon the innermost or first of the three columns there shall be printed ten thousand tickets, numbered one, two, three and so onwards in an arithmetical progression where the common excess is to be one until they raise to and for the number of ten thousand, and upon the third column of every of the said books there shall be printed ten thousand tickets of the same breadth and form, and numbered in like manner, and in the middle column of each of the said books, there shall be printed a third rank or series of tickets of the same number with those of the other two columns which tickets shall be joined with oblique lines or devices in such manner as the said managers shall direct, and that every of the last mentioned tickets shall have written or printed thereupon (besides the number of such ticket and the class to which it doth belong and the year of our Lord) the following words, viz: "Pennsylvania State Lottery." This ticket entitles the bearer to such prize as may be drawn

against its number, if demanded in nine months after the drawing is finished, subject to a deduction of fifteen per centum.”

(Section III, P. L.) That every of the tickets in the middle column of the first set of books so prepared, shall likewise have printed thereon, class the first; and every of the tickets in the middle column of the second set of books so prepared, shall have printed thereon, class the second; and every of the tickets in the middle column of the third set of books, so prepared, shall have printed thereon, class the third; and that every of the tickets in the middle column of the fourth set of books so prepared shall have printed thereon, class the fourth.

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said managers shall have full power and authority to sell and dispose of, to such person or persons as shall choose to adventure in the said lottery, the said tickets of the middle column aforesaid at the following rates, viz: The ten thousand of the first class, for four Spanish milled dollars each; ten thousand of the second class for six like dollars each, ten thousand of the third class for eight like dollars each, ten thousand of the fourth class, for ten like dollars each. Which tickets in the respective classes shall be sold and disposed of for ready money and not otherwise, and upon the receipt of such sum of four dollars aforesaid shall deliver to the adventurer one of the tickets in the first class so sold, signed by one of the said managers and cut out of the said books through the said oblique lines and devices, indentwise, to be kept and used for the better ascertaining and securing, his, her or their interest in the said ticket in case it should be fortunate.

(Section V, P. L.) And after the drawing the said first class, as hereinafter directed and publishing the fortunate numbers in two of the public newspapers in Philadelphia, and after paying the prizes so drawn, the said managers shall have the like authority to sell and dispose of the tickets in the second class, and shall upon the receipt of six dollars deliver to the adventurer [one] of the tickets in the second class, cut out in the manner and for the uses aforesaid; and after drawing the said second class, as hereinafter directed, and publishing the fortunate numbers in manner aforesaid, the said managers after paying the

prizes so drawn in said second class, shall have the like authority to sell and dispose of the tickets in the third class, and shall upon the receipt of eight dollars deliver to the adventurer one of the tickets in the third class, cut out in manner, and for the uses aforesaid, and after drawing the said third class, as hereinafter directed, and publishing the fortunate numbers in manner aforesaid, the said manager after paying the prizes so drawn in said third class, shall have the like authority to sell and dispose of the tickets in the fourth class, and shall upon the receipt of ten dollars deliver to the adventurer one of the tickets in the fourth class, in manner and for the uses aforesaid, and after drawing the said fourth class as hereinafter directed, and publishing the fortunate numbers in manner aforesaid, the said managers, shall pay the prizes so drawn in the said fourth class.

[Section III.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That for the greater security of the adventurers, and punctual payment of the prizes that shall be drawn in the several classes in the said lottery the said managers shall pay weekly into the bank of North America all the moneys arising from tickets by them sold, for which they shall receive from the said bank such acknowledgements in behalf of the commonwealth for the purposes in this act mentioned as are usually given by the said bank for other moneys deposited therein.

[Section IV.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That for the enabling the [said] managers to pay to pay [sic] off the prizes of the respective classes as they are severally drawn, and for discharging the incidental expenses attending the management and drawing [of] the said lottery, that orders shall be drawn by the said managers, or any two of them on the said bank in checks provided for that purpose, expressing that such drafts are upon account of the said lottery.

[Section V.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That after all the tickets of the middle column in the first class, shall be sold as aforesaid, the said managers or a majority of them, taking to their assistance three

of the justices of the peace of the city or county of Philadelphia, shall cause all the tickets of the extreme column in the said books, of the said first class, the same being cut out of the said books. indentwise through the said oblique lines or devices, to be carefully rolled up and made fast with thread or silk and shall cause them to be put into a box, to be prepared for that purpose marked with the letter A; and to be immediately after sealed with the several seals of the said managers, until the said tickets are to be drawn, as is hereinafter mentioned; and [that] the tickets of the first or innermost columns of the said books, shall remain still in the said books, for the discovering any mistake or fraud, if such should happen to be committed contrary to the true meaning of this act.

[Section VI.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said managers or a majority of them, with the assistance of the said justices of the peace shall also prepare or cause to be prepared two thousand six hundred and sixty-one prizes for the first class, on which prize tickets there shall be written or expressed, as well in figures as in words at length, in manner following: That is to say, upon one of them fifteen hundred dollars, upon one other of them one thousand dollars; upon four other of them severally five hundred dollars; upon fifteen other of them severally one hundred dollars; upon forty other of them severally fifty dollars; upon one hundred other of them severally twenty dollars; and on two thousand five hundred other of them severally eight dollars; which principal sums, so to be expressed upon the said tickets, will amount in the whole to thirty thousand dollars, out of which and every of the said fortunate tickets in all and every of [the] classes aforesaid, or sums thereon expressed the said managers are hereby authorized and required to deduct fifteen per centum and no more amounting in the whole to forty-two thousand dollars, the sum intended for the uses and purposes in this act hereafter mentioned and specified.

[Section VII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the said managers or a majority of them with the justices of the peace aforesaid shall cause the said prize tickets of the first class, written upon as

aforesaid to be carefully rolled up and fastened with silk or thread, and put into another box, to be prepared for that purpose, and marked with the letter B, and sealed up with the several seals of the said managers, and carefully kept by them until those tickets shall be drawn in manner and form herein-after mentioned.

[Section VIII.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the said managers or a majority of them with the said justices of the peace, shall cause the said boxes with all the tickets therein, to be carried to some public or convenient room in the city of Philadelphia by nine of the clock in the forenoon on a certain day to be by them appointed and placed on a stage or table there, and shall then and there severally attend the service and cause the two boxes containing the said tickets to be unsealed and opened, and the tickets or lots in the said boxes being in the presence of the said managers and the said justices of the peace and such of the adventurers as shall think proper to be there, well shaken and mingled in each box distinctly, some one indifferent and fit person to be appointed and directed by the said managers or a majority of them, shall take out and draw one ticket from the box A, where the said numbered tickets shall have been as aforesaid put, and one other indifferent and fit person to be appointed and directed in like manner, shall at the same time take out one ticket or lot from the box B, where the said two thousand six hundred and sixty-one prize tickets shall have been promiscuously put as aforesaid and immediately the tickets so drawn shall be opened, and the number of the ticket drawn from the box A, and the value of the fortunate ticket or prize drawn out of the box B, shall be called aloud, which numbered ticket with its prize so drawn shall be put on a file and the same entered in books by clerks whom the managers or a majority of them are hereby authorized and empowered to employ and oversee for this purpose, and so the drawing to continue by taking one ticket at a time out of each box, and with the opening, naming aloud, filing the same, and by entering the same in books, as is before mentioned until the whole two thousand six hundred and sixty-one prize tickets shall be completely drawn from the box B;

and all the tickets remaining in the box marked A containing the numbers not drawn, shall be carefully taken out of the said box A; in order to make room for the reception of the numbers of the succeeding class and if the drawing aforesaid cannot be performed in one day, the said managers, with the said justices of the peace, shall cause the said boxes to be sealed up in manner aforesaid, and adjourn till the next day and so from day to day (Sundays excepted) and then open the same and proceed as before till the drawing of the said prize tickets be finished and completed as aforesaid; and the said tickets so drawn shall remain under the custody of the said managers.

[Section XIII.] And to the end that the fortunate may know their success in the said lottery:

[Section IX.] (Section XII, P. L.) Be it further enacted by the authority aforesaid, That as soon as the drawing of any of the classes is over, and the books of the several clerks duly compared and lists made out therefrom, the said managers are hereby enjoined and required, to cause to be printed and published in two of the public newspapers of the city of Philadelphia the numbers of the tickets drawn against each fortunate ticket and the principal sum written on the same; and if any dispute shall arise in adjusting the property of any of the said fortunate tickets in any of the classes, the said managers or a majority of them, shall determine to whom it doth or ought to belong, and shall also make the deductions aforesaid out of each of the said fortunate tickets, for raising the moneys aforesaid.

[Section X.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the said managers having drawn the first class, published the fortunate numbers of the same, and sold the tickets of the middle column in the books of the second class, the said managers or a majority of them, with the justices of the peace aforesaid, shall cause the tickets of the third column of the books of the said second class to be carefully rolled up and made fast with thread or silk, as ordered and directed to be done in the first class, and put up in the manner in a box prepared for that purpose

marked A; and shall also prepare, or cause to be prepared, two thousand seven hundred and three prizes for the second class, on which prize tickets, there shall be written or expressed as well in figures as in words at length in manner following: That is to say, upon one of them two thousand five hundred dollars, upon one other of them, one thousand five hundred dollars; upon two other of them severally one thousand dollars; upon four other of them severally five hundred dollars; upon twenty other of them severally one hundred dollars; upon fifty other of them severally fifty dollars; upon one hundred and twenty-five of them severally twenty dollars, and upon two thousand five hundred other of them severally twelve dollars; which principal sums, so to be expressed upon the said tickets will amount in the whole to forty-five thousand dollars, and the said managers or a majority of them, with the justices of the peace aforesaid, shall cause the said prize tickets of the second class written upon as aforesaid to be carefully rolled up, and fastened with silk or thread, and put into the box marked B; prepared for that purpose, and shall proceed to the drawing the same, in the same manner and form and to publish the fortunate numbers thereof as is hereinbefore directed and appointed for the first class.

[Section XI.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That the said managers having drawn the second class, published the fortunate numbers of the same, and sold the tickets of the middle column of the third class, the said managers or a majority of them with the justices of the peace aforesaid shall cause the tickets of the third column in the books of the said third class to be carefully rolled up and made fast, with thread or silk, as ordered and directed to be done in the first class, and put up in the same manner in the box prepared for that purpose marked A; and shall also prepare or cause to be prepared, two thousand six hundred and twelve prizes for the third class, on which prize tickets, shall be written or expressed as well in figures, as in words at length in manner following: That is to say, upon one of them three thousand five hundred dollars; upon two other of them severally two thousand dollars; upon three other

of them severally one thousand dollars; upon six other of them severally, five hundred dollars, upon thirty other of them severally, one hundred dollars; upon seventy other of them severally fifty dollars; upon two thousand five hundred other of them severally sixteen dollars; which principal sums so to be expressed upon the said tickets, will amount in the whole to sixty thousand dollars; and the said managers or a majority of them, with the justices of the peace aforesaid, shall cause the said prize tickets, of the third class written as aforesaid to be carefully rolled up and fastened with silk or thread and put into the box marked B; prepared for that purpose; and shall proceed to the drawing the same in the same manner and form, and to publish the fortunate numbers thereof as is hereinbefore directed and appointed for the first-class.

[Section XII.] (Section XV, P. L.) And be it further enacted by the authority aforesaid, That the said managers having drawn the third class, published the fortunate numbers of the same, and sold the tickets of the middle column of the fourth class, the said managers or a majority of them with the justices of the peace aforesaid, shall cause the third column in the books of the said fourth class, to be carefully rolled up and made fast with thread or silk as ordered and directed to be done in the first class, and put [up] in the same manner, in the box prepared for that purpose marked A; and shall also prepare, or cause to be prepared, one thousand eight hundred and fifteen prizes, for the fourth class, on which prize tickets there shall be written or expressed as well in figures as in words at length in manner following: That is to say, upon one of them fifteen thousand dollars; upon one other of them ten thousand dollars; upon one other of them eight thousand dollars; upon two other of them severally five thousand dollars; upon four other of them severally three thousand dollars; upon six other of them severally one thousand dollars upon forty other of them severally five hundred dollars; upon one hundred and fifty other of them severally one hundred dollars; upon three hundred and fifty of them severally fifty dollars; upon twelve hundred and sixty other of them severally twenty-five dollars which principal sums so to be expressed upon the said tickets will amount in

the whole to one hundred and fifty-five thousand dollars; and the said managers or a majority of them with the justices of the peace aforesaid shall cause the said prize tickets of the fourth class written upon as aforesaid to be carefully rolled up and fastened with silk or thread, and put into the box marked B; prepared for that purpose, and shall proceed to the drawing the same, in the same manner and form, and to publish the fortunate numbers thereof, as is hereinbefore directed and appointed for the first class.

[Section XIII.] (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That the adventurers in the first class, shall have the particular privilege of renewing their tickets in the second class, provided they apply for that purpose any time within the space of six weeks, from and after the finishing the drawing of the first class, and publication of the same, in the newspapers as aforesaid, after which on their neglect of such renewal, the managers shall have full power and authority and they are hereby enjoined and required to dispose of the same to any other adventurer or adventurers, and so in like manner from the second to the third class, and from the third to the fourth class.

[Section XIV.] (Section XVII, P. L.) And be it further enacted by the authority aforesaid, That if any fortunate adventurers in the said lottery shall neglect to apply to the said managers, for the sum due on his, her or their tickets respectively within the space of nine months after the publication of the prizes in the several newspapers aforesaid; such sum or sums of money so due to him, her or them shall be applied to the uses, intents and purposes, to which the sum hereby directed to be deducted is ordered to be appropriated and applied.

[Section XV.] (Section XVIII, P. L.) Provided always and be it enacted by the authority aforesaid, That before any of the said managers or justices of the peace aforesaid, shall take upon himself the duties and offices hereby enjoined, or any clerk employed by the said managers, shall act in such employment, they and each of them shall respectively before some justice of the peace for the city or county of Philadelphia, take the following oath or affirmation, viz:

I, A. B., do swear or affirm that I will faithfully execute the trust reposed in me, and that I will not use or permit or direct any person to use any indirect acts or means, to obtain a prize, or fortunate ticket, either for myself, or any other person whatsoever; and that I will do my utmost endeavor to prevent any undue or sinister practice to be done by any person whatsoever, and that I will to the best of my judgement, declare to whom any prize, lot or ticket of right does belong, according to the true intent and meaning of the act of assembly, entitled "An act for raising by way of lottery, the sum of forty-two thousand dollars for improving the public roads in this state, and towards improving the navigation of the river Schuylkill."

[Section XVI.] (Section XIX, P. L.) And be it further enacted by the authority aforesaid, That each of the said managers shall have and receive one half per centum, on the gross amount of the sales of the tickets in the several classes of this lottery; and that each of the said justices of the peace shall have and receive two Spanish milled dollars per diem for each and every day they shall attend the duties and services herein before pointed out by them to be performed and done; which several sums shall be in full satisfaction to the said managers and justices of the peace respectively for their care, attention and trouble in managing, directing and drawing the said lottery, and in lieu of any other gratuity or reward whatsoever.

[Section XVII.] (Section XX, P. L.) And be it further enacted by the authority aforesaid, That the net proceeds of the lottery hereby established shall be and hereby is appropriated in manner following: That is to say, one moiety or half part of such proceeds, for and towards putting the roads leading from the city of Philadelphia to the western parts of this state in good order and repair to be laid out and expended upon the same by commissioners hereafter to be appointed by act of assembly; and the other moiety or half part thereof shall be and hereby is appropriated for and towards the purpose of improving the navigation of the river Schuylkill agreeable to the laws now existing or laws which may hereafter be enacted for that purpose.

[Section XVIII.] (Section XXI, P. L.) And be it further enacted by the authority aforesaid, That the said managers shall

lay before the comptroller general from time to time, when thereunto required, a true state of the said lottery; and shall also when the drawing of the same is completed and the prizes and incidental charges are paid render their accounts to the committee of accounts of assembly for final settlement.

Provided always, That in case of a vacancy in the management of this lottery as aforesaid by the death or resignation of any of the managers, this or any future assembly may supply such vacancy by their vote or resolution.

Passed March 15, 1784. Recorded L. B. No. 2, p. 252, etc. See the Acts of Assembly passed March 14, 1761, Chapter 465; November 30, 1784, Chapter 1117; February 27, 1786, Chapter 1200; March 3, 1788, Chapter 1334.

CHAPTER MLXXVI.

AN ACT FOR RAISING A FURTHER IMPOST OR DUTY ON ALL GOODS, WARES OR MERCHANDISE IMPORTED INTO THIS STATE.

(Section I, P. L.) Whereas this commonwealth doth labor under many heavy debts contracted during the late war, and it is necessary that some further funds be provided to discharge the same, and also to defray the other expenses of government in its present exigencies:

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That from and after the passing of this act, there shall be raised and collected upon all goods, wares and merchandise imported into this state, a duty or impost of one and one half per centum over and above all duties and imposts now payable by law, and all the powers and authorities; and the penalties, regulations and directions, given and expressed in and by the act, entitled "An act for an impost