

vested in the commissioners of Berks county, to collect, recover and receive the arrearages of taxes due from the county of Berks to this commonwealth. And whereas doubts have arisen, whether the said law authorized the commissioners aforesaid, to recover and receive the arrears of taxes already collected and in the hands of the former county treasurer, or the monies due to the state by the bail of the former county treasurer, and also the taxes in the hands of the present county treasurer: Therefore, to obviate those doubts,

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 commissioners of Berks county be, and they are hereby authorized to recover and receive the arrears of taxes due to this commonwealth from said county of Berks, already collected and in the hands of the former county treasurer, or due to the commonwealth from the bail of the former county treasurer; and also the taxes due to the commonwealth, which have been collected, and are in the hands of the present county treasurer; and appropriate the same to the purpose mentioned in the act,<sup>(1)</sup> to which this is a supplement.

Approved February 11, 1805. Recorded in L. B. No. 10, p. 75.

Note (1). Chapter 2491. *Supra*, this volume, p. 829.

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## CHAPTER MMDXXXIX.

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AN ACT TO RAISE BY WAY OF LOTTERY, A SUM NOT EXCEEDING THREE THOUSAND DOLLARS, TO DEFRAY THE EXPENSES OF BUILDING A CHURCH IN THE TOWN OF SOMERSET.

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 Peter Kimmel, James Clark, John Tantlinger, Ottho Shrader, Abraham Morrison, George Tutrow, Abraham Miller and Jacob Schnider, be, and

are hereby appointed commissioners to raise, by way of lottery, a sum of money not exceeding three thousand dollars, for the purpose of building a house of worship in the town of Somerset, for the use of the Lutheran and Calvinist societies, and for all other religious societies that shall wish to preach the Gospel in the same.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the commissioners, before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the governor as shall meet his approbation, and enter into bonds to him for the due and faithful performance of their duty, in selling the tickets, drawing the lottery, and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby entrusted to him; and two of the said commissioners, at least, shall attend each day's drawing of the aforesaid lottery, and, when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one newspaper, at least, printed in each of the following towns, to wit: The city of Philadelphia, Greensburg, Uniontown, Lancaster and Pittsburgh.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners be, and they are hereby authorized to settle and adjust all accounts which may be exhibited by any person, or persons, legally employed in carrying this act into effect, and that all expenses necessarily attending the same, shall be paid by the aforesaid commissioners, out of the net proceeds of the said lottery.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That all prizes not demanded within twelve months after the publication as aforesaid, shall be considered as relinquished for the benefit of the said church.