

same hereby are vested in all the aforesaid children of the said John Maxwell, to be had and held by them, their heirs, executors, administrators and assigns, as tenants in common, forever; subject nevertheless to the satisfaction and payment of all lawful liens, debts, claims and demands whatsoever.

Approved February 18, 1805. Recorded in L. B. No. 10, p. 63.

CHAPTER MMDXLVII.

AN ACT FOR RAISING, BY WAY OF LOTTERY, THE SUM OF TWENTY THOUSAND DOLLARS, FOR REMOVING THE OBSTRUCTIONS AND IMPROVING THE NAVIGATION OF THE RIVER SUSQUEHANNA, AND CERTAIN BRANCHES THEREOF.

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 Thomas Boude, Christian Brenneman, Joseph Poole, John Evans, William P. Beatty, Jacob Strickler, Samuel Bethel, Adam Reigart, junior, William Ferree, Philip Diffenderfer, Michael Gundaker and Leonard Eichholtz, or a majority of them, be, and they are hereby appointed managers, to raise, by way of lottery, by one or more classes, the sum of twenty thousand dollars, to be applied for removing the obstructions and improving the navigation of the river Susquehanna and its branches; which sum shall be appropriated in the following manner, viz. Five thousand five hundred dollars whereof to be applied in removing the obstructions in said river, from the town of Columbia, in the county of Lancaster, to the mouth of Swatara, in the county of Dauphin: Three thousand three hundred dollars to be applied for like purposes, from Swatara to the mouth of the river Juniata: Three thousand two hundred dollars from the mouth of Juniata aforesaid to the town of Northumberland, in the county of Northumberland: One thousand dollars for like purposes, in the northeast branch of the said river, from the town of Northumberland aforesaid to the head of the Nanticoke rapids, in the county of Luzerne: One thousand dol-

lars for like purposes, in the west branch of said river, from the mouth thereof to Anderson's creek, in the county of Clearfield: And four thousand dollars to be applied for like purposes, in the river Juniata, from the mouth thereof to Franks-town, in the county of Huntingdon: One thousand dollars to be applied to the like purposes, in the Ray's town branch of the Juniata, from the mouth thereof to the town of Bedford: And one thousand dollars to be applied to the like purposes, in the Bald Eagle creek, from the mouth thereof to the town of Milesborough, at the forks thereof.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said managers, named in the first section of this act, previously to selling any tickets in said lottery, shall lay the scheme thereof before the governor of this commonwealth, and if he approve thereof, they shall enter into their several bonds to the governor, for the due and faithful drawing of the lottery, and likewise that they will, individually, at least once in three months, render a just and true account of all the tickets sold, and pay the money received, during said term, to the treasurer appointed or to be appointed in pursuance of this act.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the state treasurer for the time being, be, and he is hereby appointed treasurer: That, before he shall take upon him the duties of his office, he shall enter into a bond, with sufficient sureties, to the governor, that he will well and truly do and perform the several duties enjoined on him by this act.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said treasurer shall, from time to time, pay and discharge, out of such monies as he shall receive in virtue of this act, all such prizes as shall be demanded by persons legally entitled thereto, after the drawing of the first or any subsequent class of the said lottery shall be completed; the remainder of the money (after defraying the necessary expenses of said lottery) he shall hold, subject to the drafts of the commissioners named, or appointed in and by this act, and for the purposes herein mentioned.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That each of the said managers, named in the first section of this act, shall, previously to entering upon the duties of his office, take and subscribe an oath or affirmation, diligently and faithfully to perform the duties entrusted to him; and at least three of them shall attend the drawing of the lottery, on each day the said lottery shall be drawn at Lancaster, in the county of Lancaster; and, when the drawing of the first or any subsequent class is completed, the said managers shall cause an accurate list of the fortunate numbers to be lodged with the treasurer aforesaid, and also to be published in at least one newspaper in the city of Philadelphia, one in the borough of Lancaster, one in the borough of Harrisburg, one in the town of Northumberland, one in the borough of Lewistown, one in the borough of Carlisle, one in the borough of Huntingdon, and one in the borough of York.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all prizes not demanded within one year after publication as aforesaid, shall be considered as relinquished for the benefit of the undertaking; to be applied in proportion as described in the first section of this act.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the following persons are hereby appointed commissioners, whose duty it shall be, respectively, to superintend the removing of obstructions in the rivers aforesaid, within the respective divisions, as described in the first section of this act, viz. John Haldeman and Samuel Miller, from the town of Columbia to the mouth of Swatara; Thomas Stubbs and William Murray, from Swatara to the mouth of the river Juniata; Simon Herold and Abraham M'Kenny, from the mouth of the river Juniata to the forks of Susquehanna, at the town of Northumberland; Robert Erwin, John Clark, of the town of Catawissa, and Daniel Montgomery, junior, for the northeast branch of said river, from Northumberland aforesaid to the head of the rapids at Nanticoke creek, in the county of Luzerne; Hugh White, George Crane and Bethuel Vincent, for the west branch of said

river, from Northumberland town to Anderson's creek, in the county of Clearfield; and John Gillespie, John Bratton, Robert Province and William Thompson, of Thompsonstown, for the river Juniata, from the mouth thereof to Frankstown, in the county of Huntingdon; and Henry Shoub, James Entricken and Peter Morgaret, for the Ray'stown branch of the Juniata, from the mouth thereof to the town of Bedford; and Robert Boggs and Isaac M'Kinney, for the Bald Eagle creek, from the mouth thereof to the forks at the town of Milesburgh.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners respectively, are hereby authorized and empowered to employ engineers, artists, laborers and artificers, to remove all obstructions to the navigation from the bed of the aforesaid rivers, within their respective divisions, in such manner as will best improve the navigation thereof, and to keep a just and true account of all the expenditures in carrying on the work, and to transmit the same, or a copy thereof, to the treasurer aforesaid, and to draw orders respectively on the treasurer for such sums of money as may be necessary to carry into effect the said undertaking: Provided always, that the said treasurer shall not, at any time, pay over on the draft of any commissioner, a greater sum than an equal proportion to such division as prescribed by the first section of this act, reference being had to the monies in the treasury at the time of such draft being made; and the said treasurer shall keep a just and true account, in a book to be provided for that purpose, of all the monies received by him in pursuance of this act, and of all such prizes as shall be paid by him, as well as of all monies paid for the benefit of the undertaking, on drafts of the commissioners aforesaid, or any of them, and also of any lawful expenditures paid by him in carrying this act into effect; and the said treasurer shall receive such compensation, for his services, as the managers named in the first section of this act, or a majority of them shall deem reasonable.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said managers shall take bond, with sufficient surety, from each of the said commission-

ers, for the faithful expenditure of the sums which shall come to their hands respectively; and when the work of any section of the said waters shall be completed, or the money expended, an account of the expenditures and of the work done, shall be rendered to said managers, who shall then allow such commissioner a reasonable compensation for his services; or may, in the first instance, agree as to the compensation to be received.

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That in case of the death, resignation, or refusal to serve, of the treasurer, or of any commissioner named in this act, the governor is hereby authorized and empowered to appoint such person as he shall deem proper to supply any such vacancy.

Approved February 18, 1805. Recorded in L. B. No. 10, p. 64.

CHAPTER MMDXLVIII.

AN ACT TO ENABLE ELIZABETH TRAVIS, WIDOW, AND ADMINISTRATRIX OF ALL AND SINGULAR THE GOODS AND CHATTELS, RIGHTS AND CREDITS OF JOHN TRAVIS, LATE OF THE CITY OF PHILADELPHIA, MERCHANT, DECEASED, TO EXECUTE THE TRUSTS OF A CERTAIN DEED THEREIN MENTIONED.

Whereas John Travis, late of the city of Philadelphia, merchant, by deed duly executed, dated the thirtieth day of October, in the year of our Lord one thousand eight hundred and one; which said deed for the greater certainty thereof is recorded in the Rolls Office of this Commonwealth, in commission book No. 2 page 244. &c. did declare as follows; that is to say: "Whereas I, the said John Travis, as one of the partners of the firm of Nathaniel and Falkner Phillips and Company, of Manchester, merchants, and as agent to the house of John and Jeremiah Naylor, of Wakefield, in the island of Great Britain, merchants, have obtained and acquired divers tracts of land and other estate, situate in the United States, in security for the payment of divers debts or sums of money to the said firms respectively owing: And whereas in case of my death, prior to the final settlement of the transactions for which the same