

a school house near Summerytown, in Montgomery county, on the lot of ground given by general Daniel Heister, deceased, for that purpose; and that the said commissioners before they proceed to sell any tickets in said lottery, shall lay such scheme thereof before the governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in drawing the same; 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 or more of the said commissioners shall attend at the drawing of each day; and when the drawing shall be completed, they shall cause an accurate list of the fortunate numbers to be published in the Reading Eagle, or one of the Norristown papers; and shall pay and discharge all prizes that shall be legally entitled thereto, within six months after the drawing is finished; and all those prizes not demanded within twelve months after the drawing is completed, shall be considered as relinquished to and for the use of erecting the said school house.

Approved March 31, 1806. Recorded in L. B. No. 10, p. 405.

CHAPTER MMDCCXXXII.

AN ACT FOR THE MORE SPEEDY AND EFFECTUAL COLLECTION OF CERTAIN DEBTS DUE TO THIS COMMONWEALTH.

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 Cadwallader Evans, of Montgomery county, John Steele, of Lancaster county, and John Lyon, of Uniontown, in Fayette county, be, and they are hereby appointed commissioners; who or any two of them shall be and they are hereby authorized to procure from the recorders and prothonotaries of the respective counties, such copies of deeds and other writings relating to the real estate of John Nicholson, deceased, as also a transcript of all and every mort-

gage and judgment which may affect the same, that due information may be had of what is subject to the lien of this commonwealth.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the several land officers of this commonwealth at the request of the commissioners aforesaid, shall make out all the copies of papers which are in their respective offices necessary to the disclosure of the said John Nicholson's estate, free from any expenses or fees.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the said commissioners to ascertain as near as may be the quality of the estate of the said John Nicholson, as well as extent, situate in each county, subject to the lien of the commonwealth, and make an estimate of the value thereof.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners or a majority of them shall average the demand of the commonwealth on the whole of the several estates subject to the lien, according to the estimated value thereof; and shall make report of their proceedings to the governor; who shall cause to be sold by the sheriff of the respective counties, according to due course of law, the several estates so subject to the lien of the commonwealth, or so much thereof as shall produce the amount averaged or assessed as aforesaid, on each particular estate: Provided nevertheless, that when any person or persons, or the managers of any of the land companies, who have any legal or equitable claim or interest in any particular estate or estates, subject to the lien as aforesaid, shall pay into the state treasury the quota or amount of the state debt averaged or assessed on such estate or estates; or securing the same to be paid in two equal annual installments with interest; it shall and may be lawful for the said commissioners or a majority of them, and they are hereby authorized and required, to transfer and set over the lien of the commonwealth thereon, to the sole use and benefit of such person or persons, or to the use of such company so claiming and paying as aforesaid.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That in all cases where the lien of the commonwealth cannot be clearly ascertained; or where the estate is not equal to the average rate assessed by the commissioners as aforesaid; the said commissioners, or a majority of them, shall have full power and authority to settle by compromise, or otherwise, with any person or persons, or the managers of any of the land companies, on behalf of the land company or companies who may claim a legal or equitable interest in any of the lands, late the property of the said John Nicholson, deceased; in such manner and on such terms, as to them, after a full investigation of the case, may appear most to the advantage of the commonwealth; the approbation of the governor being first had; and their proceedings therein shall be final and conclusive on the part of the commonwealth.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if the said commissioners, or a majority of them, should at any time be of opinion that it would be more to the advantage of the commonwealth, to purchase, on account of the commonwealth, any of the property so offered for sale by the sheriffs as aforesaid, than to suffer the same to be sold for a less sum than the amount averaged or assessed thereon as aforesaid, they are hereby authorized so to do; and to take deeds or conveyances in their own names as joint tenants in trust for the use of the commonwealth: Provided, that no purchase either directly or indirectly shall be made in behalf of the commissioners aforesaid, in their own right; nor shall any of the property of John Nicholson, be vested in them otherwise than as in trust for the commonwealth.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That each of the said commissioners before he acts, shall take an oath or affirmation before some judge or justice of the peace, that he will diligently, faithfully and impartially discharge the duties assigned to him by this act; and in case either of the said commission-

ers shall die, or refuse or become incapable to act, the governor shall appoint a person to supply his place; and all acts by a majority of the said commissioners shall be as valid as if they had all joined therein.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners appointed by or to be appointed under the authority of this act, shall receive their traveling and other necessary incidental expenses, to be settled as other accounts, and paid on warrants drawn by the governor out of the state treasury; and shall receive in full compensation for their services, ten per centum upon the monies paid into the state treasury: Provided, that the sum paid for traveling and other incidental expenses and attorneys fees shall not exceed two thousand dollars.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall have power to ask, demand, receive and recover by due course of law, from any person or persons, any and all the books, papers and documents, in his, her or their possession, which have any relation to the said estate; and to give a receipt or receipts therefor, and the same to deposit in the office of the comptroller general of this commonwealth; and such receipt shall be a full discharge to the person and persons delivering such books, papers and documents as aforesaid.

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That it shall not be lawful for the commissioners of the several counties to sell for taxes any lands described in two certain advertisements or notices published by Samuel Bryan, late comptroller general, in the Aurora of July twentieth, one thousand eight hundred and three, and the twenty-seventh of January, one thousand eight hundred and four, or which may appear from the proper records or otherwise, to belong to the estate of the said John Nicholson; but the same shall be paid by the warrants on the treasury as soon as it shall be ascertained that the land upon which such taxes are charged, are subject to the lien aforesaid.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That in any case where the said John Nicholson, in his lifetime, had or held lands in partnership, or in common with any other person or persons, the said commissioners, or a majority of them, are hereby authorized to cause partition to be made of the said land by writ, or otherwise, in order to ascertain the respective interests of the said part owners, as well as the separate interest of the said John Nicholson; and if it shall be necessary to make said partition by writ, in case of disagreement between the parties, the said commissioners, or a majority of them, shall be made parties to such writ either plaintiffs or defendants; and such partition so made, shall be as available in law, as if the same had been made by the said John Nicholson in his lifetime; and the costs thereof, shall be paid equally by the parties as in other cases, and the said commissioners shall be allowed for their part of such costs in the settlement of their accounts.

Approved March 31, 1806. Recorded in L. B. No. 10, p. 407.

ACTS OF THE GENERAL ASSEMBLY OF PENNSYLVANIA.

Passed at a Session which was begun and held at Lancaster on Tuesday, December 2nd, 1806, and continued until April 13th, 1807, (inclusive).

CHAPTER MMDCCXXXIII.

AN ACT TO ENCOURAGE THE KILLING OF PANTHERS.

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 from and after the passing of this act, a reward of eight dollars for killing every full