

## CHAPTER DLXXV.

AN ACT FOR RAISING BY WAY OF LOTTERY THE SUM OF FIVE THOUSAND TWO HUNDRED AND FIFTY POUNDS FOR PURCHASING A PUBLIC LANDING IN THE NORTHERN LIBERTIES AND PAVING THE STREETS OF THE CITY OF PHILADELPHIA.

Whereas it has been represented to the assembly of this province by petition from sundry inhabitants of the city of Philadelphia and Liberties thereto adjoining that the few public landings at the north end of the said city and in the said Liberties thereof are scarcely sufficient for the accommodation of its present inhabitants and the King's barracks:

And whereas it hath been also represented from the commissioners for pitching and paving the streets, lanes and alleys of the city of Philadelphia that the moneys granted or lent for pitching, paving and keeping clean the said streets, etc., for some time past have all been expended, that the annual taxes on the inhabitants amounted to no more than scarcely sufficient to pay scavengers and make the necessary repairs in the pavements, and that a considerable part of the said city remains still unpaved, to the great inconvenience as well of travelers as of the inhabitants of said city:

To provide for which:

[Section I.] Be it enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, 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 Philip Syng, Samuel Miles, John Chevalier, Thomas Salter, John Gibson and Thomas Bond, junior, of the city of Philadelphia, and Peter Knight, of the Northern Liberties of said city, gentlemen, shall be and they are hereby nominated and appointed managers and directors of the lottery. hereby insti-

tuted 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 said three columns there shall be printed five 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 five thousand; and upon the middle column of every of the said books there shall be printed five thousand tickets of the same breadth and form and numbered in like manner, and in the extreme column 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 tickets and the class to which it doth belong and the year of our Lord) the following words, viz.:

“Philadelphia Public 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 cent.”

That every of the tickets in the first set of books so prepared shall likewise have printed thereon, Class the first; that every of the tickets in the second set of books so prepared shall have printed thereon, Class the second; that every of the tickets in the third set of books so prepared shall have printed thereon, Class the third; and that every of the tickets in the fourth set of books so prepared shall have printed thereon, Class the fourth.

[Section II.] 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 extreme column aforesaid at the following rates, viz.: The five thousand of the first class for twenty shillings each, five thousand of the second class for thirty shillings each, five thousand of the third class for forty shillings each, and the five thousand of the fourth class for fifty shillings each, and upon the receipt of such sum of twenty shillings 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 said ticket in case it should be fortunate.

And after the drawing the said first class as hereinafter directed and publishing the fortunate numbers in 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 thirty shillings deliver to the adventurer one of the tickets in the second class cut out in 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 of the third class, and shall upon the receipt of forty shillings 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 managers after paying the prizes so drawn in said third class, shall have the like authority to sell and dispose of the tickets of the fourth class, and shall upon the receipt of fifty shillings deliver to the adventurer one of the tickets in the fourth class, cut out in manner and for the uses aforesaid.

[Section III.] And be it further enacted by the authority aforesaid, That the said managers shall nominate and appoint one reputable person to be [the] treasurer or receiver of the

moneys arising from the sale of the said tickets, taking from the said treasurer or receiver such security for the due answering and paying of the moneys which he shall receive in pursuance of the directions of this act and for the true performance of the trust in him reposed as the said managers, or any four of them, shall judge reasonable and sufficient in that behalf, to which said treasurer the said managers shall from time to time pay over the several sums of money that shall respectively remain in their hands on and after the payment of the prizes in the several classes of this lottery, for which said sums of money they the said managers respectively shall take a receipt signed by the said treasurer.

[Section IV.] And be it further enacted by the authority aforesaid, That after all the said tickets of the third or extreme columns in the first class shall be sold as aforesaid, the said managers or any four of them shall cause all the tickets of the middle column in the said books of the said first class to be carefully rolled up and made fast with thread or silk, the same being cut out of the said books indentwise through the said oblique lines or devices 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 V.] And be it further enacted by the authority aforesaid, That the said managers or any four of them shall also prepare or cause to be prepared blanks and prizes in manner and form following: For the first class five thousand tickets of which number one thousand and seventy-eight to be prizes, on which fortunate tickets or prizes shall be written or otherwise expressed as well in figures as in words at length in manner following: That is to say, upon one of them three hundred pounds, upon three other of them severally one hundred pounds, upon four other of them severally fifty pounds, upon ten other

of them severally twenty pounds, upon twenty other of them severally ten pounds, upon forty other of them severally five pounds and upon one thousand other of them severally fifty shillings, which principal sums so to be expressed upon the said tickets will amount in the whole to three thousand nine hundred pounds, 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 five thousand two hundred and fifty pounds, the sum intended for the uses and purposes in this act hereafter mentioned and specified.

[Section VI.] And be it further enacted by the authority aforesaid, That the said managers or any four of them shall cause all the above mentioned fortunate tickets or prizes of the first class written upon as aforesaid, together with three thousand nine hundred and twenty-two blanks, 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 hereinafter mentioned.

[Section VII.] And be it further enacted by the authority aforesaid, That the said managers or any four of them shall cause the said boxes with all the tickets therein to be carried to some public and convenient room by nine of the clock in the forenoon and placed on the table there for that purpose, and shall then and there severally attend this 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 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 any four of them shall take out and draw one ticket from the box A. where the said numbered tickets shall be 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 a ticket or lot from the

box B where the said one thousand and seventy-eight fortunate and the three thousand nine hundred and seventy-two blank tickets shall be promiscuously put as aforesaid, and immediately the tickets so drawn shall be opened, and the number of the tickets drawn from the box A and whether it be a prize or blank, and if a prize what value it be, shall be called aloud, which numbered ticket with its prize or blank so drawn shall be put on a file and the same entered in books by clerks which the managers or any four of them shall 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 opening, naming aloud, filing the same and by entering the same in books as is before mentioned, until the whole five thousand tickets in each box be completely drawn; and if the same cannot be performed in one day, the said managers 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 tickets be finished and completed as aforesaid, and afterwards the said tickets so drawn shall be and remain in a strong box sealed up as aforesaid and under the custody of the said managers until they shall take them out to examine, adjust and settle the property thereof.

And to the end that the fortunate may know their success in the said lottery:

[Section VIII.] Be it enacted by the authority aforesaid, That as soon as the drawing of any of the classes is over the said managers are hereby enjoined and required to cause to be printed and published in the Pennsylvania Gazette, in the Pennsylvania Chronicle and in the Pennsylvania Journal 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 major part of them shall determine to whom it doth and ought to belong, and shall also make the deductions aforesaid out of each of the said fortunate tickets for the raising the moneys aforesaid.

[Section IX.] And be it further enacted by the authority

aforesaid, That the said managers having drawn for the first class, published the fortunate numbers of the same and sold the tickets of the third or extreme column of the second class, the said managers or any four of them shall cause the tickets of the middle column in 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 same manner in the box prepared for that purpose marked A, and shall also prepare or cause to be prepared five thousand blanks and prizes for the second class; to wit, three thousand eight hundred and eighty-two blanks and one thousand one hundred and eighteen prizes, having on them written or otherwise expressed as well in figures as in words at length in manner following: That is to say, upon one of them four hundred pounds, upon two other of them severally two hundred pounds, upon four other of them severally one hundred pounds, upon six other of them severally fifty pounds, upon fifteen other of them severally twenty pounds, upon thirty other of them severally ten pounds, upon sixty other of them severally five pounds, and upon one thousand other of them severally seventy shillings, which principal sums so to be expressed upon the said tickets will amount in the whole to five thousand nine hundred pounds. And the said managers or any four of them shall cause the said prize tickets of the second class written upon as aforesaid, together with the said three thousand eight hundred and eighty-two blank tickets, 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 of 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 X.] And be it further enacted by the authority aforesaid, That the said managers having drawn the second class, published the fortunatenumbers of the same and sold the tickets of the third or extreme column of the third class, the said managers or any four of them shall cause the middle 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 five thousand blanks and prizes for the third class, one thousand one hundred and seventy-seven of which to be prizes, on which prize tickets shall be written or otherwise expressed as well in figures as in words at length in manner following: That is to say, upon one of them five hundred pounds, upon one other of them three hundred pounds, upon two other of them severally two hundred pounds, upon five other of them severally one hundred pounds, upon eight other of them severally fifty pounds, upon twenty other of them severally twenty pounds, upon forty other of them severally ten pounds, upon one hundred other of them severally six pounds, and upon one thousand other of them severally ninety shillings, which principal sums so to be expressed upon the said tickets will amount in the whole to eight thousand pounds; and the said managers or any four of them shall cause the said prize tickets of the third class written upon as aforesaid, together with three thousand eight hundred and twenty-three blank tickets, 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 of 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.] 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 third or extreme column of the fourth class, the said managers or any four of them shall cause the middle 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 in the same manner in the box prepared for that purpose marked A, and shall also prepare or cause to be prepared five thousand blanks and prizes for the fourth class, one thousand one hundred and thirty-three of which to be prizes, on which prize tickets shall be written or otherwise expressed as well in figures as in words at length in



manner following: That is to say, upon one of them three thousand pounds, upon two other of them severally one thousand pounds, upon three other of them severally five hundred pounds, upon four other of them severally three hundred pounds, upon five other of them severally two hundred pounds, upon eight other of them severally one hundred pounds, upon twenty other of them severally fifty pounds, upon thirty other of them severally twenty pounds, upon sixty other of them severally ten pounds, and upon one thousand other of them severally five pounds ten shillings, which principal sums so to be expressed upon the said tickets will amount in the whole to seventeen thousand two hundred pounds. And the said managers or any four of them shall cause the said prize tickets of the fourth class written upon as aforesaid, together with three thousand eight hundred and sixty-seven blank tickets, to be carefully rolled up and fastened with thread or silk as aforesaid and put into the box marked B prepared for that purpose, and shall proceed to the drawing of 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.] Provided always and be it further enacted by the authority aforesaid, That before any of the said managers or directors shall take upon himself the duties and offices hereby enjoined, they shall respectively before some justice of the peace for the county of Philadelphia take the following oath, viz.:

“I, A. B., do swear that I will faithfully execute the trust reposed in me and that I will not use any indirect arts or means or permit or direct any person to use any indirect arts 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 judgment declare to whom any prize lot or ticket of right does belong, according to the true intent and meaning of the act of assembly passed in the eighth year of His present Majesty’s reign.”

[Section XIII.] And be it further enacted by the authority

aforesaid, That the adventurers of 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 two months from and after the finishing the drawing of the first class, 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 third and from the third to the fourth class.

[Section XIV.] 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 public notice given in the several newspapers as 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 directed to be appropriated and applied.

[Section XV.] And be it further enacted by the authority aforesaid, That after the payment of the sums due to the fortunate adventurers in the said lottery and defraying the costs and expenses attending the same, the neat sum of money remaining in the hands of the treasurer aforesaid shall be applied in manner following: That is to say, two thousand pounds thereof for and towards purchasing a landing in the Northern Liberties nearly opposite the barracks and improving the same with the landing at the end of Callowhill street as hereinafter is directed, and the remainder to be paid to the city commissioners for pitching and paving the streets, lanes and alleys of the city of Philadelphia, or to their treasurer, the better to enable them so to pitch, pave and keep clean the streets, lanes and alleys aforesaid.

[Section XVI.] And be it further enacted by the authority aforesaid, That the commissioners of the county of Philadelphia in trust for the public, by and with the consent and approbation of the justices of the peace of the said county in their court of quarter sessions, shall and they are hereby required and enjoined to buy a landing nearly opposite the said bar-

racks and receive the deeds thereof in trust for the public, and further to build or cause to be built thereon a good wharf and a pier for the use of the public.

And the said county commissioners for the time being, or a majority of them, with the approbation of any three justices of the peace for said county, are hereby enjoined and required forever hereafter to have the care, direction and management of the said landing, in letting the same out to any person or persons for the purposes of repairing and improving the same from time to time forever hereafter as the said commissioners and justices or a majority of them for the time being may judge most for the public good.

And whereas the honorable the proprietaries of the province of Pennsylvania have continued Callowhill street in the Northern Liberties aforesaid into the river Delaware, and as a public landing place at the end of the same street may hereafter prove very advantageous and beneficial to the public:

[Section XVII.] Be it therefore further enacted by the authority aforesaid, That the said county commissioners or a majority of them, with the consent and approbation of any three justices of the peace of the county aforesaid, shall forever hereafter have the same power and authority for the improving and letting the same landing place at the end of Callowhill street aforesaid for the uses and purposes aforesaid as to them are hereby given and granted with respect to the landing place nearly opposite to the said barracks hereby intended to be purchased.

[Section XVIII.] And be it further enacted by the authority aforesaid, That the said managers within the space of ten months after the drawing of the fourth class aforesaid shall lay their accounts as well of the moneys received for the tickets hereby directed by them to be sold, as also of such prizes as by them shall be severally paid and of the respective balances by them paid to the treasurer aforesaid; and the said treasurer within six months after the same shall lay his accounts before the justices at their court of quarter sessions of the peace for the county of Philadelphia, to be by them examined and adjusted.

Provided always, That the said lottery be erected and drawn within two years from the publication hereof.

[Section XIX.] And be it further enacted by the authority aforesaid, That the several managers shall and may severally from time to time as occasion may happen bring actions in their or either of their respective names against any person or persons indebted to the managers aforesaid or either of them for the sale of tickets, or against any other person or persons concerned in the execution of this act for any breach of trust therein.

Passed February 20, 1768. Considered by the King in Council, March 6, 1769, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section III, and the Acts of Assembly passed March 6, 1793, Chapter 1658; April 4, 1796, Chapter 1909; April 12, 1828, P. L. 356; April 6, 1833, P. L. 186.

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## CHAPTER DLXXVI.

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AN ACT FOR INCORPORATING THE SOCIETY KNOWN BY THE NAME AND STYLE OF THE PHILADELPHIA CONTRIBUTIONSHIP FOR THE INSURING OF HOUSES FROM LOSS BY FIRE, TO RATIFY AND CONFIRM THE ARTICLES OF AGREEMENT OF THE CONTRIBUTORS AND TO ENABLE THEM TO MAKE SUITABLE BY-LAWS FOR THE BETTER MANAGEMENT AND PROSECUTION OF THEIR SAID DESIGN.

Whereas a number of persons, for their own mutual security and for the common security and advantage of their fellow citizens and others, have by certain articles of agreement bearing date the twenty-fifth day of March, in the year of our Lord one thousand seven hundred and fifty-two, formed and entered into a society for the insurance of houses from loss by fire upon the most equal terms and apart from all views of private or separate gain or interest:

And whereas it has been found by experience that the said design, so far as it hath been already carried into execution, has proved very useful and advantageous to the adventurers therein: