

by the authority of the same, That the said lot of ground so as aforesaid bounded and described and also all and singular the houses, buildings, edifices and improvements thereon made and erected and premises with the appurtenances to the same belonging or in anywise appertaining and the reversion and reversions, remainder and remainders thereof and all the estate, right, title, interest, claim and demand whatsoever of the said John Montgomery, Robert Miller, John Armstrong, James Wilson, Robert Magaw, Stephen Duncan, William Lyon and William Irwin the surviving trustees in the said patent named of, in, to and out of the premises with the appurtenances, shall from and after the passing of this act be vested in the trustees of Dickinson College in the borough of Carlisle, in the county of Cumberland and their successors forever for the use of the said college.

Passed October 3, 1788. Recorded L. B. No. 3, p. 404.

CHAPTER MCCCLXX.

AN ACT IN AID OF AN ACT OF THE DELAWARE STATE FOR THE SETTLEMENT OF THE ACCOUNTS OF THE WILMINGTON LOTTERY.

(Section I, P. L.) Whereas by an act of the general assembly of Delaware entitled, "An act for the settlement of the accounts of the Wilmington lottery," passed at Dover on the third day of February one thousand seven hundred and eighty-seven it is enacted [that] James Gibbons, Joseph Shallcross, Thomas May, Vincent Bonsall and Isaac Hendrickson, gentlemen, all of the borough of Wilmington in the said state, or any three or more of them, be authorized, directed and empowered to settle and adjust all matters that now are or may afterwards arise in dispute respecting the said lottery and to call the managers of the said lottery before them and all other persons concerned or employed by and under them in the sale or disposal of tickets in the same for the purpose of a full and final settlement of

the accounts of the same and appropriation of the profits and proceeds thereof according to the true intent and meaning of the original scheme and design of the same as set forth and expressed in the preamble of the said act:

And whêreas the said James Gibbons, Joseph Shallcross, Thomas May, Vincent Bonsall and Isaac Hendrickson, or any three or more of them have full power and authority by the said act to call for the attendance of the said managers and every of them, their heirs, executors or administrators on giving them and each of them as the case may require fifteen days notice in writing of the time or times of such meeting and to bring their accounts and vouchers ready prepared for such settlement and in case the said managers or their legal representatives or any of them or any other person or persons who were employed in the sale or disposition of tickets in the said lottery under the said managers or any of them shall refuse to attend after such notice duly given as aforesaid, the said James Gibbons, Joseph Shallcross, Thomas May, Vincent Bonsall and Isaac Hendrickson or any three or more of them shall proceed to the settlement and adjustment of the said accounts to the best of their judgment *ex parte* and according to such evidence as may be offered to them by the other managers and parties attending and the said James Gibbons, Joseph Shallcross, Thomas May, Vincent Bonsall and Isaac Hendrickson or any three or more of them have full power and authority to issue their summons under their hands and seals to compel the appearance and attendance of such person or persons as can give any necessary evidence touching the adjustment and settlement of the said accounts, who shall be examined upon oath or affirmation to be administered by any justice of the peace of the county, &c., which said evidences so as aforesaid [summoned] are ordered and obliged by the said act to give their attendance under such pains and penalties as the court of common pleas in such case of neglect and refusal might and of right could order and inflict and such attending witnesses to be allowed the like *per diem* pay as witnesses in other cases in the common law courts to be paid by such delinquent manager

three or more of them, the said commissioners to make due return and report under their hands and seals to the court of common pleas of the county of New Castle or to the supreme court or party as shall be adjudged by the said commissioners, or any of the said Delaware state, which may sit next ensuing the date of said report, of all such matters and things as relate to the premises upon which report being so made and returned, such judgment, execution or process shall accordingly and without delay be awarded as is and has heretofore been the practice of the said court in cases of reports of auditors under rules of reference:

And whereas it hath been represented to this general assembly that although five-sixths of the net profits or proceeds of the said lottery were to be applied towards pious uses within this state, namely, the building a church to be called Saint John's Church in the Northern Liberties of the city of Philadelphia, and a proportionable number of tickets were sold to citizens of this state, yet a settlement of the accounts of the said lottery cannot be obtained, because the act of the assembly of Delaware state (as in part above recited) cannot enable the commissioners therein named to compel the appearance of persons [residing] out of the said state for the purpose of giving evidence or of settling and adjusting the said accounts:

For remedy whereof and in aid of the said act of assembly of the Delaware state:

[Section I.] (Section II, P. L.) Be it enacted by the General Assembly of the Commonwealth of Pennsylvania and by the authority of the same, That the said James Gibbons, Joseph Shallcross, Thomas May, Vincent Bonsal and Isaac Hendrickson, or any three or more of them, for the purpose of the final adjustment and settlement of the accounts of the said lottery, shall have power to meet within the city of Philadelphia and to exercise within the same and among all the citizens of this state all the [powers] and authority herein before recited and no other and to make due return and report under their hands and seals to the courts of common pleas of the counties of Philadelphia and Chester or either of them as the case may require, or to the supreme court of this state of all such matters

and things as relate to the premises upon which report being so as aforesaid made and returned to the said courts or any of them within their proper jurisdiction such judgment, execution and process, shall accordingly and without delay be awarded, as is [and] has heretofore been the practice of the said courts, or any of them, in cases of reports of auditors under rules of reference, Provided always nevertheless, That if any person or persons shall deem him, her or themselves aggrieved by the determination of the said [commissioners] he, she or they shall and may appeal to the court or courts aforesaid in this state and a trial shall thereupon be had by a jury of the county according to the laws of this state, Provided also, That the said managers shall previous to their issuing any summons or process, which they are hereby authorized to issue, apply to some justice of the common pleas of this state who shall examine into the cause and necessity of issuing the same and if the said justice shall approve thereof and not otherwise, he shall and may sign and allow the same and the said summons or process shall not be valid without such signature and allowance.

Passed October 3, 1788. Recorded L. B. No. 3, p. 415.

CHAPTER MCCCLXXI.

AN ACT TO RECOMPENSE JOHN HAGUE FOR INTRODUCING INTO THIS STATE A USEFUL MACHINE FOR CARDING COTTON.

(Section I, P. L.) Whereas John Hague in introducing into this state a carding machine by means of which the establishment of a proposed extensive cotton manufactory may be greatly facilitated has thereby rendered a public service worthy of being recompensed by the legislature:

[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 the supreme executive council