

passed March 29th, 1806; but if not, then over any ground within the limits of this state which he may deem most advantageous.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That such person or persons, as are or shall be appointed for the purpose of laying out and completing the said road, under the authority of the United States, shall have full power and authority to enter upon the lands through which the same may pass, and upon any land near or adjacent thereto, and therefrom to take, dig, cut and carry away, such materials of earth, stone, gravel, timber and sand, as may be necessary for the purpose of completing, and forever keeping in repair said road:

Provided, that such materials shall be valued and appraised, in the same manner as materials taken for similar purposes, under the authority of this commonwealth, are by the laws thereof, directed to be valued and appraised; and a certificate of the amount thereof shall, by the person or persons appointed, or hereafter to be appointed under the authority of the United States for the purpose aforesaid, be delivered to each party entitled thereto for any materials to be taken by virtue of this act, to entitle him, her or them, to receive payment therefor from the United States.

Approved April 9, 1807. Recorded in L. B. No. 11, p. 39.

CHAPTER MMDCCXLVI.

AN ACT TO RAISE BY WAY OF LOTTERY A SUM NOT EXCEEDING THREE THOUSAND DOLLARS, TO ENABLE THE INHABITANTS OF THE BOROUGH OF YORK TO BRING IN A STREAM OF WATER TO SUPPLY THEIR FIRE ENGINES, AND OTHER PURPOSES.

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 William Barber, George Hay, John Stewart, Jacob Hahn, William Ness, Samuel Spangler, Jacob Eichelberger and John Fisher, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water into said town, for supplying the fire engines in case of accidents by fire, and for other useful purposes.

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 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 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 the following towns: viz. York, Lancaster, Carlisle, Chambersburg, and Gettysburg.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the 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 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 lottery.