

for mills and other water works, and also to erect such slopes at the mill or other dams in said creek, as may be necessary for the passage of rafts, boats or other vessels: Provided, such slopes be so constructed as not to injure the works of such dams: And provided also, that any person or persons owning or possessing lands on said creek, shall have liberty to construct any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the general assembly of this commonwealth, passed the twenty-third day of March, one thousand eight hundred and three, entitled "An act to authorize any person or persons owning lands adjoining navigable streams of water declared public highways, to erect dams upon such streams for mills and other water works."⁽¹⁾

Approved March 21, 1808. Recorded in L. B. No. 11, p. 201.
Note (1) Chapter 2353; 17 Statutes at Large p. 297.

CHAPTER MMCMXLIX.

AN ACT TO RAISE BY WAY OF LOTTERY, A SUM OF MONEY FOR THE PURPOSE OF ERECTING A SCHOOL HOUSE IN MAYERSTOWN, IN THE COUNTY OF DAUPHIN.

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 Godlieb Kintzly, John Batdorf, Henry Hoekly, Peter Shulze, Peter Spangler, Philip Briedenbach, Henry Hilger and Henry Koppenhafer, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding two thousand dollars to be by them applied for the purpose of erecting a school-house in Mayerstown, in the county of Dauphin.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners before they proceed to sell any tickets in the lottery aforesaid, 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 intrusted to him, and two or more of said commissioners shall attend the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one of the English and German papers, printed in the county of Dauphin, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within thirty days after the drawing shall be completed: Provided always, that the commissioners aforesaid shall not receive any pay for any duties enjoined on them by authority of this act.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expenses attending the same, shall be paid by the said commissioners out of the proceeds of 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 next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of erecting the aforesaid school house.

Approved March 21, 1808. Recorded in L. B. No. 11, p. 201.

CHAPTER MMCMML.

AN ACT FOR DISCHARGING THE SURETIES OF JONATHAN PENROSE, DECEASED, LATE SHERIFF OF THE CITY AND COUNTY OF PHILADELPHIA, FROM THE PAYMENT OF A SUM OF MONEY THEREIN MENTIONED.

Whereas it appears that the commonwealth have had a lien on the estate of Jonathan Penrose, deceased, late sheriff of the city and county of Philadelphia, of three thousand one hun-