Whereas the establishment of a public Botanical Agricultural and Medical Garden in Kentucky would be highly beneficial for the promotion of the knowledge of Husbandry and Natural Sciences — Therefore

1st. Be it enacted by the general assembly of the commonwealth of Kentucky, that a Botanical Agricultural and Medical Garden be established in the town of Lexington or its vicinity to be called and known by the name of the Botanical Garden of Transylvania University.

2d. That for the purpose of procuring funds for the establishment of said Garden, it shall and may be lawful for Eliza Winter, James Palmer, William Leavy, William W. Worley, & Richard Higgins to raise by Lottery in one or more classes as to them may seem expedient any sum not exceeding fifteen thousand Dollars, to be appropriated under the direction of the Trustees of Transylvania University to the purchase or rent of a lot or lots of ground not exceeding twenty acres, wherein to plant and establish said Botanical Garden.

3d. Be it further enacted that the Trustees of Transylvania University shall from time to time appoint a Committee of five persons as Managers of said Botanical Garden, one of whom shall
be the Professor of Botany and Natural History in
the University for the time being, who is also to be the
principal Director of Said Garden.

4th. That Said Botanical Garden shall be
planted and put into operation as soon as One
thousand Dollars can be raised as aforesaid, and
the same shall be gradually increased and enlarged
as additional funds are raised, which funds shall
be appropriated to the necessary improvements,
builti-ings, apparatus, Museum, Herbarium and
library in Said Garden.

5th. That Said Managers and principal Di-
rector may receive and hold Specific Donations of
Money, Books, Apparatus, plants, seeds and Na-
tural productions of all kinds, and the proceeds of
the sales of the productions of Said Garden
shall be applied to the promotion of the culture
and improvement of Same and no other purpose.

6th. That the managers of Said Lottery, or
such of them as may think proper to act, Shall
before they enter upon the duties assigned them
by this act, enter into bond and approved security
in the County court of Fayette in the penalty of
twenty thousand Dollars payable to the Common-
wealth of Kentucky for a faithful discharge
of the duties enjoined by this Act, and the same
may be sued on in the name of the Commonwealth
of Kentucky for the use and benefit of any person
or persons injured by a breach of the conditions of
Said Bond. And it Shall be the duty of the
Said Managers within ninety days after the com-
pletion of the drawing of the several classes of
Said Lottery, to pay the fortunate persons prevailing
or to his, her or their order all such prize or
prizes as may be due agreeable to the scheme
which they may agree upon and publish provi-
ded however that Said Managers may refuse
not exceeding twenty per cent on all prizes: and
Said Managers Shall have the right to appoint
all necessary officers to conduct Said Lottery,
all of whom Shall take an oath before some
Justice of the peace for the faithful discharge
of their respective duties.

7th. That Said Managers Shall within
ninety day after the completion of the drawing
of Said Lottery or any class thereof pay over to
the Treasurers of the Trustees of Pennsylva-
nia University the net Amount of all Sum
of Money raised by Said Lottery, after all the
prizes are paid, and the said Twelve thousand
Dollars may be raised on aforesaid exclusive of all incidental expenses.

8th. That the general Assembly hereby reserve to themselves the power to control the management and general concern of said Botanical Garden, and repeal the privileges hereby granted if the same are found not to answer the purposes hereby contemplated, and the Director and Managers of said Institution shall make an annual report to the general Assembly of the situation and prospects of said Garden.