

[Section II.] And be it enacted by the authority aforesaid, That in case any of the said inhabitants of Nova Scotia that are under age should be bound out to any trades or occupations, and before the expiration of their respective indentures the said inhabitants of Nova Scotia, by any order, direction or act of government, should be sent for, carried or transported out of this government, then and in such case the said minors or persons under age shall be and are hereby declared to be freed and discharged of and from the covenants in the said indentures respectively contained and from the service and employment of their respective masters and mistresses; and their said several masters and mistresses in such case shall be paid at the expense of the public a reasonable consideration for the respective apprentices so as aforesaid discharged from their services.

Passed September 27, 1757. Referred for consideration by the King in Council, November 7, 1758, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV, and note to the Act of Assembly passed January 18, 1757, Chapter 416.

CHAPTER CCCCXXVII.

AN ACT TO ENABLE RICHARD HILL AND SAMUEL PRESTON MOORE AND HANNAH, HIS WIFE, TO COMPLY WITH, ESTABLISH, RATIFY AND CONFIRM CERTAIN AGREEMENTS MADE BETWEEN THE SAID SAMUEL PRESTON MOORE AND RICHARD HILL, LATE OF THE CITY OF PHILADELPHIA, JOINTLY OF THE ONE PART, AND DIVERS OTHER PERSONS OF THE OTHER PART; AND ALSO BETWEEN THE SAID RICHARD HILL, DECEASED, SEPARATELY, OF THE ONE PART, AND DIVERS PERSONS OF THE OTHER PART, WHICH WERE ENTERED INTO BY THEM IN THE LIFETIME OF THE SAID RICHARD HILL, DECEASED, SOME OF WHOSE HEIRS AND DEVISEES ARE UNDER AGE.

Whereas the said Samuel Preston Moore and the said Richard Hill, deceased, were in the lifetime of the same Richard seized as tenants in common in fee-simple of and in certain tracts of land and lots of ground situate in this province and in the city

of Philadelphia, with their respective rights, members and appurtenances.

And whereas the said Samuel Preston Moore and Richard Hill, deceased, in his lifetime did make partition of the said tracts of land and lots of ground, by virtue whereof the said Richard became seized in fee of and in certain tracts of land and lots of ground, part of the aforesaid tracts and lots, with their rights, members and appurtenances.

And whereas by divers articles of agreement made by and between the said Samuel Preston Moore and the said Richard Hill in his lifetime as well in his proper person as by the said Samuel Preston Moore, his attorney, of the one part, and sundry other persons, inhabitants of the province and city aforesaid, of the other part, the said Samuel Preston Moore and Richard Hill did covenant and agree to grant, bargain and sell unto the said inhabitants respectively sundry of the said tracts of land and lots of ground in their several and respective articles particularly described in fee forever. In consideration whereof they, the said inhabitants and purchasers respectively, did covenant and agree to and with the said Samuel Preston Moore and the said Richard Hill, deceased, that they would pay a yearly ground-rent in their said respective articles particularly specified unto them, the said Samuel Preston Moore and the said Richard Hill, deceased, their heirs and assigns forever, and would erect on the said lots certain buildings within the times respectively limited by the said articles; and the said Samuel Preston Moore and the said Richard Hill, deceased, in his lifetime, did further covenant and agree that as soon as the said buildings should be built, erected and finished they would at the proper costs and charges of the said inhabitants respectively make over and convey to them, their heirs and assigns forever a good and sufficient title to the said tracts of land and lots of ground and the buildings thereon erected, with their and every of their rights, members and appurtenances.

And whereas the said Richard Hill, deceased, in his lifetime, as well in his proper person as by the said Samuel Preston Moore, his attorney, after the partition aforesaid did by divers [other] articles of agreement of the same purport, tenor and meaning, separately and not jointly with the said Samuel Pres-

ton Moore enter into the like covenants and agreements with divers other purchasers, who on their parts respectively did also in consideration thereof promise and agree that they would perform and fulfill the conditions and pay the rents in the said last-mentioned articles particularly mentioned, agreeable to the true intent thereof.

And whereas sundry of the said inhabitants and purchasers have fulfilled and complied with the covenants and agreements on their parts entered into with them the said Samuel Preston Moore and the said Richard Hill, deceased, in his lifetime.

And whereas the said Richard Hill, deceased, in his lifetime, made his last will and testament in writing duly executed, and thereby did give and devise his whole real estate unto the said Richard Hill, his father, and to his brother-in-law, the said Samuel Preston Moore and Hannah, his wife, their heirs and assigns forever, in trust; nevertheless to and for no other use, intent and purpose whatsoever than the following, to wit, that his said father, Richard Hill, should receive the rents, issues and profits of his said estate for and during the term of his natural life, and after his decease in trust for his brother, Henry Hill, and his sisters, Mary, Deborah, Harriet, Rachel, Margaret, Sarah and Milcah Hill, their heirs and assigns forever, equally to be divided between them.

And whereas several of the said devisees are under age and others in parts beyond the seas and incapable of fulfilling, ratifying and confirming the said covenants and agreements entered into by the said Richard Hill, the son, in manner aforesaid with the said purchasers; and the said Richard Hill, the son, hath not by his said will in any other manner whatsoever authorized or empowered any person or persons whatsoever to fulfill, ratify and confirm the said covenants and agreements to the said purchasers agreeable to the true intent and meaning of the said parties.

And whereas the said purchasers must remain destitute of titles to the said tracts of land and lots of ground respectively during the minority of the devisees of the said Richard Hill, deceased, and the said devisees without the rents yearly payable to them by the said purchasers respectively, as well to the great

prejudice of the said purchasers as the said devisees, unless they, the said Richard Hill and the said Samuel Preston Moore and Hannah, his wife, trustees for the said devisees, be empowered to grant, bargain, sell, ratify and confirm the said tracts of land and lots of ground by deeds in writing duly executed unto the said several and respective purchasers in fee, agreeable to the true intent and meaning of the said articles, which the [said] trustees cannot do effectually without the aid and authority of an act of assembly.

Wherefore we, the said Richard Hill, the father, and Samuel Preston Moore and Hannah, his wife, do pray that it may be enacted:

[Section I.] And be it enacted by the Honorable William Denny, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and the 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 it shall and may be lawful to and for the said Richard Hill, the father, and Samuel Preston Moore and Hannah, his wife, at any time or times after the publication of this act during the minority of them the said devisees or any of them, and until the youngest of them shall attain the age of twenty-one years, by their deed or deeds, indenture or indentures, to grant, bargain, sell, alien, ratify and confirm the said several and respective tracts of land and lots of ground, together with all and singular their respective rights, members and appurtenances, unto the said respective purchasers, their heirs and assigns forever, to have and to hold to them the said several and respective purchasers, their heirs and assigns forever, they performing the conditions and yielding and paying yearly and every year the rents in their respective articles particularly mentioned, according to the true intent, purport and meaning of the said articles of agreement.

[Section II.] And be it enacted by the authority aforesaid, That all and every deed and deeds, indenture and indentures, to be made by the authority of this act by them the said Richard Hill, the father, and Samuel Preston Moore and Hannah, his

wife, shall be as good, valid and effectual in law to all intents, constructions and purposes as if he the said Richard Hill, the son, was at the time or times of making such deed or deeds, indenture or indentures, in full life and had executed the same, or as if they the said devisees were all at the full age of twenty-one years and had executed the same; saving to all and every person or persons whatsoever, bodies politic and corporate, his, her or their heirs and successors, executors and administrators (other than the heirs and devisees of the said Richard Hill, the son, and the said Richard Hill, the father, and his heirs), all such estate, right, title, interest, claim and demand whatsoever of, in and to or out of the said tracts of land and lots of ground and premises with the appurtenances as they, every or any of them, had before the passing of this act, or could or ought to have had and enjoyed in case the same had never been made.

Passed September 27, 1757. Referred for consideration by the King in Council, January 16, 1761, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXII, Section I.