

CHAPTER MCCLXIX.

AN ACT TO ENABLE THE COMMITTEE OF THE ESTATE OF JOHN VANDEREN (WHO IS NON COMPOS MENTIS) TO SELL AND CONVEY SOME PARTS OF HIS REAL AND PERSONAL ESTATE FOR THE PAYMENT OF SOME OF HIS DEBTS, TO MORTGAGE OTHER PARTS OF HIS REAL ESTATE TO SECURE THE PAYMENT OF OTHERS OF HIS DEBTS, TO LEASE FOR A TERM OF YEARS PARTS OF HIS REAL ESTATE AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I. P.L.) Whereas by virtue of a commission issued out of the county court of common pleas of the county of Philadelphia, agreeably to the twenty-fourth section of the constitution of this commonwealth and tested the twentieth day of November last, it was in due course of law found that the said John Vanderen was on the second day of this instant December non compos mentis, and has been so for the space of three months then last past, and upwards, as by the inquisition thereupon taken the said second day of December and other proceedings remaining of record in the office of the prothonotary of the said county fully appears, by which proceedings it also appears that Robert Towers, John Donaldson, Owen Jones, the younger, and Caleb Carmale, all of the city of Philadelphia were appointed by the said court a committee of the estate of the said John Vanderen:

And whereas the said John Vanderen is seized in fee of divers real estate in the several countries Philadelphia, Bedford, Westmoreland, Washington, Fayette, Northampton and Northumberland as appears by the said inquisition:

And whereas the said John Vanderen is indebted to sundry persons in divers sums of money beyond the amount of his personal estate and it is just that such of his creditors as insist on having their money should be paid and that all his other creditors who are willing to give time for the payment of the principal owing to them respectively should be secured by mortgage or otherwise and that funds should be provided for the payment of the interest thereof and also for the comfortable support of the said John Vanderen, his wife and minor

children and for the education of such minor children and also for the payment of taxes due and to become due on his estate and for patenting such of his lands as are yet to be patented:

And whereas the said committee have no power without the aid of the legislature to sell, mortgage or encumber any part of the estate of the said John Vanderen, nor can they without such aid grant durable leases of any part of the said estate and it will be advantageous to the said estate that such powers [should] be given to the said committee under proper regulations as the said committee have set forth in their petition for those purposes presented to this house, and this house being satisfied with the truth of the facts and of the expediency and necessity of granting the powers to the said committee which they pray for by the said petition:

[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 it shall and may be lawful for the said committee or a majority of them and they are hereby empowered by and with the consent of the chief justice of the supreme court and the president of the county court of common pleas of Philadelphia county to be testified by their signature as witnesses to the deeds, to grant, bargain, sell, convey and assure such parts of the real estate of the said John Vanderen as shall be necessary for the payment of such of his debts as shall from time to time be demanded and to pay the interest of his other debts and for the decent and comfortable support of the said John Vanderen, his wife and minor children and for the education of such minor children and for patenting such of his lands as the committee by the consent aforesaid testified under the hands of the chief justice and president aforesaid shall think proper to patent, so far only as the funds herein after mentioned and the debts owing to the said John Vanderen and which the said committee shall recover and secure shall be deficient for these purposes.

[Section II.] (Section III, P. L.) And be further enacted by the authority aforesaid, That it shall and may be lawful for the said committee and for a majority of them by and with the

consent of the chief justice and president aforesaid, to mortgage such parts of the real estate of the said John Vanderen as shall be sufficient and necessary to secure the payment of such debts as are not or shall not be immediately demanded.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said committee and for a majority of them by and with the consent of the chief justice and president aforesaid to lease any part or parts or the whole of the said real estate on such rents and terms and for such a term or terms of years as shall appear to the said committee with the consent of the chief justice and the president of the said court to be most for the advantage of the said estate:

Provided nevertheless, That the said term or terms shall not be longer than until the first day of July which will be in the year of our Lord one thousand seven hundred and ninety, on which day and year the youngest son of the said John Vanderen will be twenty-one years of age and if the said leases shall cease before the day aforesaid the rent shall be apportioned:

Provided also, That if the said John Vanderen should die before the expiration of the said term, the respective leases shall cease in six months thereafter unless the executors or administrators of the said John Vanderen should choose that they should continue and in case any of the leases should cease as aforesaid it shall and may be lawful for the tenants respectively to receive the benefit of the produce of the soil which may at the end of the said six months be in or on the ground in the same manner as if the lease had continued.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said committee and for a majority of them with the consent of the president of the court of common pleas aforesaid to sell such parts and so much of the goods and chattels of the said John Vanderen as his wife shall think can be disposed of so as to keep as much of the said goods and chattels as shall be necessary for the use of the said John Vanderen, his wife and minor children.

(Section VI, P. L.) And whereas the said John Vanderen is

entitled to part of the said real estate by warrants or locations on which patents have not yet been obtained:

[Section V.] Be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the said committee, and to and for a majority of them by and with the consent of the chief justice and the president of the court aforesaid, to take patents for the said lands from time to time as they may be enabled in the name and for the use of John Vanderen, his heirs and assigns forever.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said committee and they are hereby empowered and required to apply the moneys which they shall from time to time receive from the said sales and the said rents and the debts owing to the said John Vanderen which they shall recover and receive, for and towards the payment of the just debts due by the said John Vanderen and for the decent support of the said John Vanderen, his wife and minor children and for other purposes [aforesaid].

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the said committee shall and they are hereby required to settle their accounts from time to time of all moneys which they shall receive by virtue of this act in like manner as such committees are by law obliged to settle their accounts.

Passed March 7, 1787. Recorded L. B. No. 3, p. 176, etc.

CHAPTER MCCLXX.

AN ACT FOR CO-OPERATING WITH THE STATE OF MASSACHUSETTS
 BAY AGREEABLE TO THE ARTICLES OF CONFEDERATION IN THE
 APPREHENDING OF THE PROCLAIMED REBELS, DANIEL SHAYS,
 LUKE DAY, ADAM WHEELER AND ELI PARSONS.

(Section I. P. L.) Whereas by the articles of confederation and perpetual union subsisting between the United States of America it is provided by the fourth article thereof that per-