

but is only of the net annual value of the said tract of land and improvements, and that a moiety of the excess of such net annual value, over and above the said rent of twenty-five pounds sterling, is to be added to it, altogether decline and refuse to appoint two men to make such valuation of the fee simple as aforesaid, or to join with the plaintiffs in appointing four judicious and impartial persons indifferently to make such valuation, and decline to make any appointment, unless the persons to be appointed are to appraise only the net annual value of the said tract of land and improvements.

To the end, therefore, that the defendants may answer all and singular the premises; and that they may be decreed to appoint two judicious and impartial men to value the fee simple of the said tract of land and improvements, or to join with the plaintiffs in appointing four judicious and impartial persons indifferently to make such valuation; and that the plaintiffs may be decreed to be entitled to have added to the present rent of twenty-five pounds sterling, a moiety of the excess of the interest at six per cent., upon such valuation of the fee simple, over and above the said rent; and that the plaintiffs may have such other and further relief as the circumstances of the case may entitle them to,

May it please your honors to grant to the plaintiffs the commonwealth's writ of subpoena, to be directed to the defendants, commanding them, at a certain time and under a certain pain therein limited, to be and appear before your honors, to answer the premises, and to stand to, perform, and abide such order and decree as your honors shall make in this cause.

And they will ever pray, &c.

McCALL,
Solicitor for Plaintiffs.