

two judicious and impartial men on their part, to join with two such men to be chosen by the plaintiffs, to make such valuation of the fee simple of the said tract of land and improvements.

M. RUSSELL THAYER,  
For Defendants.

#### HISTORY OF THE CASE.

James Logan, by indenture dated May 1, 1747, granted to Jonathan Ingham, his heirs and assigns, forever, a tract of land in Solesbury township, Bucks county, Pennsylvania, containing 396 acres, 120 perches; yielding and paying therefor yearly, to the said James Logan, his heirs and assigns, the yearly rent of 21 pounds sterling, on the 1st day of March in every year, for and during the term of seven years, and from and after the expiration of the said seven years, for and during the term of one hundred years then next ensuing, the yearly rent of 25 pounds sterling on the 1st day of March yearly. The deed contained a provision for the readjustment of the rent at the end of the said 107 years, which provision is in these words:

“After the expiration of the said last mentioned term, that is to say, the term of 107 years from the time of the first entry upon the said land, which will be in the year of our Lord 1860-61, the said tract of land and plantation, with all the improvements thereon, are to be valued by four judicious and impartial men, to be indifferently chosen, by the heirs and assigns of the said James Logan of the one part, and the executors, administrators, and assigns, of the said Jonathan Ingham, of the other part, and by how much the true value of the said land and improvements shall, in the estimation of the said four persons, exceed the rent herein named, one full half or moiety of such excess shall be added to the said rent herein reserved, and from that time become a new rent, and shall be yearly yielded and duly paid to the heirs or assigns of the said James Logan, by the executors, administrators, or assigns, of the said Jona-