

CHAPTER MMCDLXXXVIII.

AN ACT TO EXTEND AND CONTINUE AN ACT, ENTITLED "A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT TO COMPLETE THE BENEVOLENT INTENTION OF THE LEGISLATURE OF THE COMMONWEALTH BY DISTRIBUTING THE DONATION LANDS TO ALL WHO ARE ENTITLED THERETO."⁽¹⁾

Section I. (Section I, P. L.) Be it enacted by the Senate, and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "A supplement to the act, entitled "An act to complete the benevolent intention of the legislature of this commonwealth, by distributing the donation lands to all who are entitled thereto," be, and the same is hereby extended and continued for and during the term of one year from the first day of April next.

Approved March 29, 1804. Recorded in L. B. No. 10, p. 4.
Note (1) Chapter 2287; Supra this volume, p. 131.

CHAPTER MMCDLXXXIX.

AN ACT FOR THE RELIEF OF MARCUS HULINGS, JUNIOR.

Whereas it appears by a certified copy of the nuncupative will of a certain Richard Kenehan, given under the hand and seal of office of William Lyon, esquire, register of probates and wills, in and for the county of Cumberland; that the said Richard Kenehan devised, by his last will, unto a certain Sarah Wilson, a tract of donation land situate in the sixth district No. 1292, who afterwards became the wife to a certain Samuel Hogge, who, together with his said wife Sarah, conveyed the said devised tract of land to a certain Alexander Power, who conveyed the said tract to a certain Marcus Hulings, junior, as plainly appears by the original patent, and other deeds of conveyance: And whereas doubts have arisen

respecting the validity of said nuncupative will, and that there is a possibility that the said devised tract of land might escheat to the commonwealth for want of strict legal form, it not having been proven within the time prescribed by law; and as it appears that it was the desire, wish and intention of the said Richard Kenehan, that the said Sarah Wilson should possess, inherit and enjoy the same; and it plainly appearing from the chain of title, that the equitable right is vested in the said Marcus Hulings if no other legal heir or heirs should come forward to claim the same: And whereas the same moral motives that hath heretofore governed the state in similar cases will not suffer any advantage to be derived from an escheat under such circumstances: Therefore,

Section I. (Section I, P. L.) Be it enacted by the Senate, and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all the real estate of the said Richard Kenehan, whereof he died seized and possessed, or whereto he was in any wise entitled, in or to the said tract of donation land, situate in the sixth district, No. 1292, shall be and remain vested in the said Marcus Hulings, junior, to be had and held by him, his heirs, executors, administrators and assigns forever, and that free released, and forever discharged from all and every right, title, interest, claim and demand of this commonwealth, of, in, to and out of the said estate or any part thereof, by reason of any escheat or supposed escheat, for want of heirs, or any known kindred of the said Richard Kenehan, to inherit, take and possess the same: Provided always, nevertheless, that the said estate shall be subject to the claim of any heir or heirs of the said Richard Kenehan, under any law or laws of this commonwealth.