

DONATION LANDS - PROTECTION OF TITLE OF PATENTEE

Act of Mar. 11, 1843, P.L. 79, No. 39

Cl. 68

AN ACT

To repeal the Nicholson Court of Pleas, and to release the lien of the Commonwealth on the estate of John Nicholson, deceased.

Section 4. Entire estate of Commonwealth vested in patentee

It is hereby declared that all patents granted by the Commonwealth, do pass and vest the entire estate of the Commonwealth to and in the patentees, free and clear of all liens, incumbrances and claims of the Commonwealth whatsoever, prior to the date of the respective patents, except for arrears of purchase money. 1843, March 11, P.L. 79, Sec. 4.

Section 5. Titles of patentees good against assignment of lands by soldiers and widows of soldiers prior to issue of patent

No conveyance or assignment of lands granted to soldiers and widows of soldiers of the Revolutionary War, made by such soldiers or widows, prior to the date of the respective patents, or any transfer or sale of the right of said soldiers or widows, by them executed prior to the date of said patents, shall invalidate the title of the said patentees, their heirs and assigns, unless there shall be contained in said patent a recital of such deed, conveyance, transfer or assignment, or unless the same shall have been duly recorded in the proper office of the county in which the lands are situated: Provided, That nothing in this act contained, shall be construed to confirm or render valid any conveyance or transfer by such soldier or widow, which was prohibited by law. 1843, March 11, P.L. 79, Sec. 5.

Compiler's Note: Section 2 of Act 39 of 1843 repealed the provisos of section 20. The repeal applies only to lands formerly belonging to John Nicholson or Peter Baynton (Lamberton v. Hogan, 2 Pa. 22, 1845).