

or before the first day of September seventeen hundred and eighty-four, with legal interest thereon; and on giving such bond, possession of the premises shall be delivered, and a certificate of the purchase money given by the commissioners to the purchaser, but the estate shall not be divested out of this state, until the purchase money and interest shall be fully paid, on which a deed shall be given therefor.

C H A P.
II, III.

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An ACT for vesting an estate for life in Daniel Heester the younger, and an estate in fee simple in Rosannah his wife, in fourteen hundred acres of land lying in Washington county, and in five lots of land lying in Elizabeth-town in the said county.

W H E R E A S the said Daniel Heester, by his petition, has represented to this general assembly, that Jonathan Hager, late of Frederick county, was brought to a sudden death by an accident, and died intestate, leaving one son and one daughter (the wife of the petitioner), whereby his real estate descended to his son Jonathan Hager, then an infant; that the said Jonathan Hager, in the month of November, one thousand seven hundred and seventy-five, being then above nineteen years of age, by writing, agreed to convey to his sister and the said Daniel Heester, and their heirs, the quantity of fourteen hundred acres of land, and five lots of land lying in Elizabeth-town in Washington county, being part of his late father's estate; that the said Jonathan Hager afterwards, in the month of July, in the year one thousand seven hundred and seventy-six, being then above twenty years of age, again agreed, in writing, to convey the same land and lots to his sister and the petitioner in fee, and immediately thereafter entered into the American service, and was taken prisoner in the month of August, one thousand seven hundred and seventy-six, and was carried to Halifax in Nova-Scotia; that in the month of August, one thousand seven hundred and seventy-seven, the petitioner obtained leave of the board of war to go to Halifax, where the said Jonathan Hager, being then of age, in a private manner executed a deed, expressing to convey to the said Daniel Heester, in fee simple, the said fourteen hundred acres of land, and the five lots aforesaid; and also made and executed a power of attorney to him the said Daniel Heester, but which, from the particular circumstances the parties were in at that time, could not be done in every point of formality, nor the same be brought off so as to be recorded agreeable to the laws of this state; and which said deed, so executed by the said Jonathan Hager the son, expressed to convey fourteen hundred acres of land, situate in Gonococheague settlement, being part of the land lately owned by, and in possession of, Jonathan Hager, late of Frederick county, deceased, father of Jonathan Hager, party thereto; five hundred acres of said fourteen hundred acres to be bounded as follows, to begin at some part of Jacob Roarer's land, thence to extend by the same to Michael Fackler's land, thence to extend by the same and the town of Elizabeth to John Stull's land, thence by the same and the land of Jacob Funk, so as to include the plantation then in the tenure of Harmon Clapper; and the said Jonathan Hager the son did also, by his said deed,

Preamble.