

court, where the lands, tenements or hereditaments do lie, on application being made to him by the person or persons intended to be the grantee or grantees, bargainee or bargainees, named in the said intended deed, and upon such intended grantee or grantees, bargainee or bargainees, producing to the said clerk the assent, in writing, of the intended grantor or grantors, bargainor or bargainors, that such a commission shall issue, and naming in such written assent the persons to whom the said commission shall issue, to issue a commission to two or more persons, residents of the state or country where such bargainor, grantor, vendor or donor, may reside or be, authorising such commissioners, or any two of them, to take the acknowledgment of any such bargainor, grantor, vendor or donor, in any such deed or conveyance mentioned; and such deed or conveyance, acknowledged before such commissioners, or any two of them, and such acknowledgment, certified under their hands and seals of the said commissioners so taking the said acknowledgment, and returned with such deed or conveyance and commission aforesaid, to the court from whence the said commission shall issue, shall be recorded amongst the records of the said county, and shall be as valid and effectual in law, to all intents and purposes, as if the same had been executed and acknowledged in this state in the manner directed by law for the acknowledgment of a deed or conveyance within this state.

IV. AND BE IT ENACTED, That where any lands, tenements or hereditaments, lying and being within this state, shall be conveyed, or any use declared or limited, by any deed or conveyance whatsoever, wherein any *feme-covert* shall be named as grantor, bargainor, vendor or donor, for transferring her estate of inheritance in such lands, tenements or hereditaments, as aforesaid, or declaring or limiting any use as aforesaid, or wherein such *feme-covert* may have only right or claim of dower, where any such *feme-covert* as aforesaid shall, at the time of her executing such deed or conveyance, reside or be out of this state, it shall and may be lawful for any such *feme-covert* to acknowledge such deed or conveyance before commissioners as herein after directed, or before a justice of the supreme or circuit court of the United States, or before the governor or chief magistrate, the mayor of some corporation, court of justice, or any judge thereof, of the state or country where such deed or conveyance may be acknowledged; and such justice of the supreme or circuit court of the United States, governor, chief magistrate, mayor, court, or judge thereof, shall examine such *feme-covert* out of the hearing and presence of her husband, whether she doth make such acknowledgment voluntarily; and the justice of the supreme or circuit court of the United States, or governor or chief magistrate, mayor, court, or judge thereof, as aforesaid, so taking such examination and acknowledgment as aforesaid, shall certify the said examination and acknowledgment by an endorsement upon, or annexed to, such deed or conveyance, under the hand of such justice and seal of the court, when taken before a justice of the supreme or circuit court of the United States, or under the hand of the governor or chief magistrate, and the seal of the state or country, when taken before a governor or chief magistrate, or under the hand of the mayor, and the seal of the corporation, when taken before a mayor, or the seal of the court, when taken before a court, or if the same shall be taken before a judge of a court as aforesaid, then the same shall be under the hand of such judge and the seal of the court of which he is judge; and a certificate of such private examination and acknowledgment, so as aforesaid to be taken and made, shall be adjudged and deemed good and available in law, to all intents, constructions and purposes whatsoever, to bar such *feme-covert* of her right of inheritance or dower, as the case may be, to said lands, tenements and hereditaments, according to the purport of such deed or acknowledgment, as fully and effectually as if, at the time of executing and acknowledging such deed or conveyance, she had been or was residing within this state, and had here made such acknowledgment agreeably to the directions of the several acts of assembly in force upon this subject previous to the passing of this act, and no further or otherwise, any law, usage or custom, to the contrary in anywise notwithstanding.

How a non-resident *feme-covert* may acknowledge a deed, &c.

V. AND BE IT ENACTED, That if any *feme-covert*, who may reside or be out of this state as aforesaid, shall execute, or be about to execute, any deed or conveyance for conveying or declaring, or limiting any use in or for any lands, tenements or hereditaments, lying within this state, or shall be about to relinquish her right of dower of, in or to, any lands, tenements or hereditaments as aforesaid, which by law is necessary to be acknowledged and recorded, instead of being examined in the manner herein before directed, it shall and may be lawful for the clerk of the county court where the lands, tenements or hereditaments lie, on application being made to him by the person or persons intended to be the grantee or grantees, bargainee or bargainees, named in the said intended deed, and upon such intended grantee or grantees, bargainee or bargainees, producing to the said clerk the assent, in writing, of such *feme-covert* so intended to be examined, together with that of her husband, that such a commission shall issue, and naming in such written assent the persons to whom the said commission shall issue, to issue a commission to two or more persons, residents of the state or country where such *feme-covert* may reside or be, authorising such commissioners, or

And how to be examined, &c.