

within this act, the Provincial Court shall not give judgment therein, but it shall be put to the assembly to be determined by an act, and to be made a precedent for the future.

N. B. This act fell under the general repeal of 1704, ch. 77; but by ch. 98, of that year, was revived and continued till the end of the next session. It was in like manner revived by 1705, ch. 10; and 1706, ch. 1; and totally expired on the 15th April 1707.

CHAP. XLII.

*An Act for Enrolment of Conveyances, and securing the Estate of Purchasers.* Lib. LL. No. 2. fol. 313. Passed 22d of July 1699.

N. B. All conveyances made and enrolled under this act, are confirmed by the act of 1715, ch. 47, s. 6.

FOR the better establishing a way and method for conveying of manors, lands, tenements and hereditaments for the future, and for the avoiding abuses and deceits by mortgages;

1. BE IT ENACTED, by the King's most excellent Majesty, by and with the advice and consent of this present general assembly, and the authority of the same, That from and after the publication hereof, no manors, lands, tenements or hereditaments whatsoever, within this province, shall pass, after or change from one to another, whereby the estate of inheritance or free-hold, or any estate for above seven years, shall be made to take effect, in any person or persons, or any use or trust, except the deed or conveyance by which the same shall be intended to pass, after or change the same, be made by writing indented and sealed, and the same to be acknowledged in the provincial court, or before two justices thereof, or in the county court, or before two justices of the peace of the same, where such manors, lands, tenements or hereditaments do lie; and such deed or conveyance to be enrolled in the provincial, or county court where the same doth lie: such enrolment to be made within twelve months after the date of such writing indented as aforesaid. And for the caption of such enrolment, there shall be paid to the parties taking the same twelve pence sterling, and no more. And the clerks shall well and sufficiently enrol such deed or conveyance, in a good sufficient book in folio, to remain in the custody of the clerk of the same court, for the time being, amongst the records of the same court; and that the same clerk shall, on the back of every such deed, in a full legible hand, make an endorsement of such enrolment, and also of the folio of the book in which the same shall be enrolled, and shall unto such endorsement set his hand.

2. PROVIDED ALWAYS, AND BE IT HEREBY ENACTED by the authority aforesaid, That when the grantor or grantors, bargainor or bargainors of such lands, tenements or hereditaments, shall live remote from either the provincial court, or the county court where the land lieth, it shall and may be lawful for such grantor or bargainor, to acknowledge the same in the county where such bargainor liveth; and a certificate of such acknowledgment, under the hand of the county clerk, and under the seal of the same county, such acknowledgment shall be taken, deemed, reputed, and be as good and valid, as if the same had been acknowledged either in the provincial, or county court where such land lieth, and be a suf-

Conveyances to be made by writing indented, sealed, and acknowledged

How to be acknowledged in a different county.