

which the same shall be enrolled, and shall to such endorsement set his hand.

*If grantor, &c. lives out of the county, &c. or is nonresident of the province, how the deed is to be acknowledged and certified.*

8. PROVIDED ALWAYS, AND BE IT FURTHER 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 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 bargainors liveth, and a certificate of such acknowledgment, under the hand of the county clerk, and under the seal of the same county, of 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 sufficient warrant for such county clerk, where the land lieth, to enroll the same; and if any such grantor or bargainor of any lands or tenements as aforesaid, shall happen to be out of this province within any of her majesty's dominion, at the time of the en sealing such writing or writings indented, so as the same cannot be acknowledged as is before directed, or enrolled within the time for that purpose herein before limited, that in every such case such lands or tenements as aforesaid, shall be acknowledged by letter of attorney, well and sufficiently proved, either in the provincial or county court where such lands or tenements lie, or before one justice of the provincial court, or two justices of the county court as aforesaid, and be enrolled as aforesaid, any thing herein before contained to the contrary thereof notwithstanding.

*Deeds, &c. to take effect from the day of enrolment, and to be construed favourably for the grantee.*

9. AND BE IT FURTHER ENACTED, by the authority aforesaid, That every such writing indented, to be acknowledged and enrolled as aforesaid, shall have relation as to the passing and conveying of the premises, and the estate and estates thereby passed, or intended to be passed and conveyed, by and from the day of the enrolment of the same, and not from the day of the date thereof; and shall at all times be construed and taken more favourably and beneficially for the benefit and advantage of the grantee or grantees, and more strongly for the barring the grantors therein to be named, and according to such intents, as by the words thereof shall appear to have been the true intent of the parties thereunto, although the same be not so firmly drawn as is used in England, where the advice of council learned in the law may be easily had; provided always, that if any *feme covert* be named a party grantor in any such writing indented, the same shall not be in force to debar her, or her heirs, except upon her acknowledgment of the same, and the person or persons taking such acknowledgment shall examine her privately, out of the hearing of her husband, whether she doth make her acknowledgment of the same willingly and freely, and without being induced thereunto by fear or threats of, or used by, her husband, or fear of his displeasure; and the person or persons so examining her shall, in a note or certificate of the said caption of the said acknowledgment, certify her examination and acknowledgment thereupon, and that such certificate be likewise enrolled upon record, in which case, and by such acknowledgments and certificates *femes covert* shall be barred, and not otherwise, any thing herein contained to the contrary notwithstanding.

*How femes covert grantors are to be examined, &c.*