

C H A P.
II.

exceed half a Side of a Leaf as aforesaid, then the Sum of Sixteen Pence; and so after the Rate of Sixteen Pence of every Side of a Leaf which the Enrolment shall take up. And that the said Clerk of the said Court, shall well and sufficiently enrol the same, with a Note of the Day wherein the same shall be enrolled, 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 said Court; to the Intent that every Party that hath to do therewith, may resort unto and see the Enrolment. And that the same Clerk shall, on the Back of every such Deed, in a full legible Text-hand, make an Endorsement of the Day and Year of such Enrolment, and also of the Folio of the Book in which the same is enrolled, and shall unto such Endorsement set his Hand.

Deeds perfected out of the Province, in any Part of the British Dominions, how to be acknowledged.

III. **Provided always, and it is hereby Enacted by the Authority aforesaid, and by the Advice and Consent aforesaid,** That where the Grantor or Grantors, Bargainor or Bargainors, of any such Manors, Lordships, Lands, Tenements or Hereditaments, shall happen to be out of this Province, and within any of the Dominions of his Majesty the King of *England*, at the Time of the enfealing of such Writing or Writings indented, so that the same cannot be acknowledged in Manner and Form as is before directed, or enrolled within the Time for that Purpose herein before limited; that, in every such Case, the Acknowledgment of such Writing or Writings, before the chief Governor or Governors, of any of his said Majesty's Plantations, or before the Mayor, or chief Magistrate of any City, or Town-corporate, within his said Majesty's Dominions, and a Certificate thereof under the Hand and Seal of such chief Governor or Governors, or under the Common Seal of such City, or Town-corporate, annexed and affixed unto such Writing indented, the Enrolment of such Writing, together with such Certificate, in the Provincial Court before mentioned, within two Years next after the Date of the said Writing indented, shall be a sufficient Acknowledgment and Enrolment in the Law, to all Intents and Purposes, and as effectual and available for the Passing and Conveying of the Manors, Lordships, Lands, Tenements and Hereditaments thereby intended to be passed or conveyed, as if the same had been acknowledged in this Province, and enrolled according to the Intent and Directions of this Act; any Thing herein before contained to the contrary hereof notwithstanding.

Property to pass from the Date of the Enrolment, and not from the Date of the Deed.

IV. **And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent 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 intended to be passed and conveyed, only 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 most favourably and beneficially for the Benefit and Advantage of the Grantee and Grantees, and more strongly for the Barring of the Grantor or Grantors therein to be named; and according to such Intent as by the Words thereof, shall appear to have been the true Intendment of the Parties thereunto, albeit the same shall not happen to be drawn and penned in such strict formal Manner as is used in *England*, and other Countries, where the Advice of Council, learned in the Laws of the Country, may be easily had, in the drawing and penning of Instruments of the like Nature.

Femme Covert to be examined apart from her Husband, before taking her Acknowledgment.

V. **Provided always,** That where any married Woman, or *Femme Covert* shall happen to be named a Party, Grantor in any such Writing indented, the same shall not be of Force to debar her, or her Heirs, except (upon her Acknowledgment of the same) the Person or Persons taking such her Acknowledgment, shall examine her privately and secretly, out of the Hearing of her Husband, "Whether she do make such Acknowledgment willingly and freely, "and without being induced thereunto, by any Force or Threats used by her " Husband,