

deed before
a justice,
&c.

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.

SEC. 5. *And be it enacted*, That if any feme covert, who may reside or be out of this state as aforesaid, shall execute, or be