

C H A P. XIII.

An ACT continuing an act, entitled, An act for imposing an additional duty of two pounds per poll on all negroes imported into this province.

The act of 1763, ch. 28, is continued for seven years, &c. It was afterwards continued for seven years, &c. by the act of November 1773, ch. 14, and it expired with May session 1781.

C H A P. XIV.

An additional supplementary ACT to the act, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers.

Preamble.

WHEREAS the act, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers, in ascertaining a way and method for conveying of manors, lands, tenements and hereditaments, extends to and regards only such conveyances as operate by way of bargain and sale; and the good ends and purposes of the said act are now in great measure eluded by the frequent use of conveyances by feoffments, lease and release, confirmation, release, limitation and declaration of uses, and other modes of conveying. And whereas a general registry of all deeds and conveyances of land, would very much tend to the security of creditors and purchasers, the preservation of titles, and thereby to the advancement of the value of real estates, and particularly to prevent abuses and deceits by mortgages, and the purchase of pretended titles:

No estate of inheritance, or freehold, &c. for above 7 years, to take effect, unless acknowledged in the provincial or county court, &c.

and recorded in 6 months.

Magistrate's fee.
Clerk's duty.

II. *Be it therefore enacted, by the right honourable the lord proprietary, by and with the advice and consent of his lordship's governor, and the upper and lower houses of assembly, and the authority of the same, That after the first day of May next, no estate of inheritance or freehold, or any declaration or limitation of use, or any estate for above seven years, shall pass or take effect, except the deed or conveyance by which the same shall be intended to pass or take effect, shall be acknowledged in the provincial court, or before one of the justices thereof, or in the county court, or before two justices of the same county where the lands, tenements or hereditaments, conveyed by such deed or conveyance, do lie, and be also enrolled in the records of the same county, or the provincial court, as the case may be, within six months after the date of such deed or conveyance; and, for the taking which acknowledgment there shall be paid to the party or parties taking the same, the sum of one shilling, and no more; and the clerk of the provincial, or county courts, shall, immediately upon the receipt of such deed or conveyance, endorse thereon the time of his receiving the same, and shall well and truly, in a fair, full, and legible hand-writing, enrol such deed or conveyance in a good sufficient book in folio, to be regularly alphabeted in the names of all and every of the parties to the same, and the name of the land, and quantity of acres, which book shall remain in the custody of the said clerk of the said provincial, or county court; and the clerk aforesaid shall, on the back of every such deed or conveyance, in a full legible hand, make a certificate of such enrollment, and the time of making it, and also of the folio of the book in which the same shall be enrolled, and shall to such certificate set his hand.*

Provision where the grantors, &c. live out of the county where the lands lie. Deeds may be acknowledged in the county, and certified to the proper court.

III. *Provided always, and be it enacted, That when the person or persons making any deed or conveyance for conveying or declaring or limiting any use in or for any lands, tenements or hereditaments, shall live remote from the provincial court, or out of the county where the lands, tenements, or hereditaments lie, it shall and may be lawful for such person or persons, to acknowledge the same in the county court of the said county, or before two justices of the said county, wherein he, she, or they shall reside; and a certificate of such acknowledgment, under the hand of the county clerk, and under the seal of the same county, being endorsed thereon, that the said acknowledgment was made in open court, if made in court, or if before two justices, that they were, at the time of making the said acknowledgment, justices of the said court, duly commissioned and sworn, such deed or conveyance shall be taken, deemed and reputed, and shall be as good and valid as if the same had been acknowledged in manner first herein mentioned; and*
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