

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of March, 1793, and continued by several Prorogations to the Sixth Day of June, Anno Domini 1794, in the Thirty-Fourth Year of the Reign of Our Sovereign Lord George The Third of Great-Britain, France, and Ireland, being the Second Session of the Seventh General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

34 George III – Chapter 3

An Act to render valid, conveyances of Real Estates of married Women by them made, or to be made, during their coverture.

Whereas it hath been usual for married women, entitled to real estates in this province, to convey the same jointly with their husbands, during coverture, and no inconvenience hath been found to result therefrom:

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, that all grants and conveyances heretofore made and executed by any married woman, jointly with her husband, of any lands or tenements lying within this province, to which such married woman was in any way possessed of, or entitled to, shall be good and valid in law, as if the same had been made by a feme sole, or by any other person or persons whomsoever; provided, such married woman hath, after the execution of such grant or conveyance, acknowledged before a justice of the peace, that she did voluntarily make and execute such grant or conveyance, without any compulsion or constraint of her husband.

II. Be it further enacted, by the authority aforesaid, that all grants and conveyances which shall hereafter be made by any married woman, jointly with her husband, of estates to which she is entitled, or in which she may have any present or future interest in her own right, or in any other way, or by any other means whatsoever, shall be good and valid in law, and of the same force and effect as if the same grants and conveyances had been made by a feme sole, or by any other person or persons whomsoever, any law, usage or custom, to the contrary notwithstanding. Provided, the deed or deeds, by which such grants or conveyances shall be made and subscribed by such married woman, shall have been acknowledged in the presence of a judge of the supreme court of this province, or any justice of the inferior court of the county wherein such feme covert shall be or reside, or shall be after the execution thereof, acknowledged by such married woman, before such justice, as her free act and deed, and to have been executed for the purposes in the said deed or deeds mentioned, and that the same was done without any force or compulsion from her husband.

And whereas it may so happen, that married women not residing within this province, may be possessed of, or entitled to, lands and tenements within the same, and which they may be desirous of granting and conveying:

III. Be it further enacted, by the authority aforesaid, that grants or conveyances hereafter made by such married women of lands and tenements within this province, shall and may be made agreeable to the mode herein before prescribed, and shall be made and subscribed in the presence of some or one of the justices of a court of record of the county or place where such feme covert may reside at the time of her making such grant or conveyance as aforesaid, or by acknowledging the same as aforesaid, after the execution thereof.