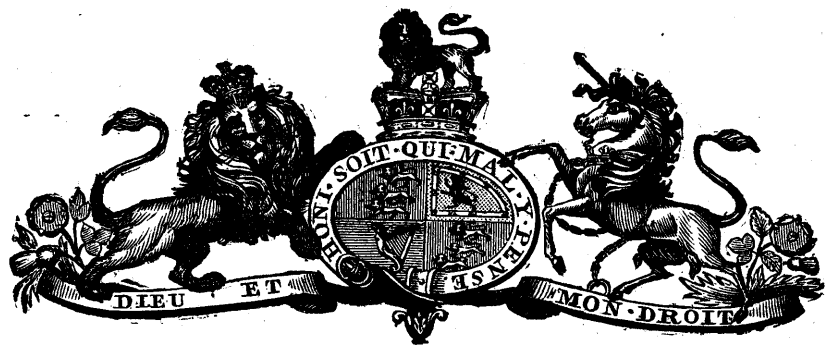


NEW ZEALAND.



TRICESIMO OCTAVO

VICTORIÆ REGINÆ.

No. XI.

*ANALYSIS.

Title.
Preamble.
1. Short Title.

- 2. Section 3 of "The Conveyancing Ordinance Amendment Act, 1860," how to be construed.
- 3. Deed acknowledged by married woman to be valid.

AN ACT to amend "The Conveyancing Ordinance Amendment Act, 1860." [22nd August, 1874.]

WHEREAS by the first section of an Ordinance passed by the Governor of New Zealand, with the advice of the Legislative Council thereof, in the second Session thereof, and numbered ten, intituled "An Ordinance to facilitate the Transfer of Real Property, and to simplify the Law relating thereto," (hereafter referred to as "the Conveyancing Ordinance,") it is enacted as follows:—"Every deed shall be signed by the conveying parties, and shall also be attested by two witnesses; the place of abode of the witnesses, their calling or business, shall be stated, but no particular form of words shall be requisite for the attestation:" And whereas by the Act of the General Assembly the Short Title whereof is "The Conveyancing Ordinance Amendment Act, 1860," (hereafter referred to as "the said amending Act,") after reciting the said section of the Conveyancing Ordinance, and that the mode of attestation required by the said section of the Conveyancing Ordinance had been found inconvenient in practice, it is amongst other things enacted that the said therein recited section one of the Conveyancing Ordinance be repealed, and that every deed shall be attested by at least one witness: And whereas doubts have been raised whether so much of the said section one of the Conveyancing Ordinance as provided that every such deed as in the said Conveyancing Ordinance is referred to should be signed by the conveying parties, was not repealed by the said amending Act, and it is expedient to set at rest such doubts:

Conveyancing Ordinance Amendment.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act shall be "The Conveyancing Ordinance Amendment Act, 1874."

Section 3 of "Conveyancing Ordinance Amendment Act, 1860," how to be construed:

2. Notwithstanding anything to the contrary in the said amending Act, the third section of the said amending Act shall, as to every deed hereafter to be executed, be construed and read as not repealing so much of section one of the Conveyancing Ordinance as provided that every deed shall be signed by the conveying parties; but it shall be necessary that such signature shall be attested by one witness, whose place of abode and calling or business shall be stated on the deed.

Deed acknowledged by married woman to be valid.

3. And whereas by the same Ordinance it is enacted that every deed made by any married woman by virtue of that Ordinance shall be acknowledged by her in the same manner as a deed by which she might dispose of land is required by law to be acknowledged:

Be it enacted that every deed hereafter acknowledged by a married woman before a Judge or Commissioner for taking acknowledgments of married women, and certified by indorsement or writing thereon by such Judge or Commissioner to have been so acknowledged, and that the woman had been examined as to her knowledge of the contents of such deed, had consented thereto, and that she was of full age and understanding, shall be valid and effectual to pass her interest in the property thereby affected without any further certificate or affidavit.

Every Resident Magistrate shall by virtue of his office be a perpetual Commissioner for taking Acknowledgments of Married Women without any other appointment.

WELLINGTON, NEW ZEALAND:

Printed under the authority of the New Zealand Government, by GEORGE DIDSBURY, Government Printer.