

MARRIED WOMEN

CHAPTER XXVII.

AN ACT AUTHORIZING MARRIED WOMEN TO CONVEY REAL ESTATE BY POWER OF ATTORNEY.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

Who may convey real estate.

Section 1. A husband and wife may convey, by their lawful agent or attorney, any estate or interest in any lands situated within this Territory, and all deeds of conveyance of any such lands, whether heretofore or hereafter made under a joint power of attorney from the husband and wife, shall be as binding, and have the same effect as if made and executed by the original parties.

Acknowledgment of a wife—how taken.

Sec. 2. When any married woman residing within this Territory shall hereafter join with her husband in a letter as a power of attorney to convey real estate, the acknowledgment of the wife shall be taken separately and apart from her husband, and she shall acknowledge that she executed the same freely and without any fear or compulsion from any one, but nothing herein contained shall be construed so as to impair the validity of any joint power of attorney heretofore executed, or any conveyance of real estate made under such joint power, when the acknowledgment of the wife shall not have been taken separate and apart from her husband.

When take effect

Sec. 3. This act shall take effect from and after its passage. Approved, January 13th, 1864.