

such state or country as aforesaid, or absent from this Province and for the time being resident in such state or country as aforesaid, jointly with her husband to make and execute to any other person or persons other than her husband, a power of attorney, giving such other person or persons any power and authority he and she may think proper, for and on behalf and in the name of her and her said husband, to sell, lease, convey and in any manner dispose of any real estate or interest therein, of which she may be seized, possessed or in any manner entitled to in this Province, and also, if necessary, authorizing by such power the said attorney to grant acquittances for the purchase money agreed to be paid for the real estate or interest therein mentioned, or take security for the payment thereof or any portion thereof, which said power of attorney shall be valid and effectual and as good for all purposes as if the said Married Woman were a *feme sole* at the time of the making thereof: Provided always, that such power of attorney shall have no effect and shall not be valid for any purpose unless the same be executed by such Married Woman in the manner hereinbefore provided in respect of deeds to be executed by Married Women, nor unless all the provisions hereinbefore contained with reference to deeds executed by Married Women be complied with, with reference to such Power of Attorney, for which purpose power is hereby given; and the certificate hereinbefore required to be endorsed on deeds shall have the same and no other or larger effect when endorsed on such power of attorney, and when so endorsed shall be *prima facie* evidence of the facts stated therein.

in like manner
execute a
Power of
Attorney to
sell estate in
U. C.

Proviso: the
same formal-
ities to be
observed.

IV. And be it enacted, That the first section of an Act of the Parliament of the Province of Upper Canada, passed in the first year of the Reign of His late Majesty King William the Fourth, intituled, "*An Act to enable Married Women more conveniently to alien and convey their Real Estate, and to repeal an Act passed in the forty-third year of the Reign of King George the Third, intituled, 'An Act to enable Married Women, having Real Estate, more conveniently to alienate and convey the same,'*" be and the same is hereby amended, by expunging from the proviso of the said section the following paragraph, viz;—"or in the presence of a Judge in the District Court, or of a Judge of the Surrogate Court of the District in which such Married Woman shall reside, or of two Justices of the Peace for such District," and inserting in the place thereof and substituting therefor the following paragraph, viz:—"or in the presence of the Judge of the County Court, or Judge of the Surrogate Court, or two Justices of the Peace of the County where such Married Woman shall reside, or happen to be when the said deed is executed by such Married Woman."

Part of sec. 1
of Act of U. C.,
1 Will. 4, c. 2.
repealed.

Other
provisions
substituted.

V. And be it enacted, That this Act shall apply to real estate in Upper Canada only.

Extent of Act.