

provisions in that behalf declared and made, in and by the first section of the act, passed at December session, in the year eighteen hundred and twenty-five, chapter two hundred and three, entitled, an act concerning mortgages and other deeds, except in the cases aforesaid of purchasers with notice aforesaid.

CHAPTER 305.

AN ACT for amending and reducing into system the Laws and Regulations concerning Powers of Attorney from Heirs and Legatees, and of Releases and final Discharges to Executors, Administrators and Guardians.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,*

That all powers of attorney, from any person or persons, who may have authority to execute the same, which shall be acknowledged in this state before the mayor of a corporation, or notary public, or before any justice of the peace in this state, authorizing any person or persons, to ask, demand or receive from any executor, administrator or guardian, or person who has been such, any portion, distributive share, legacy, sum of money or property whatsoever, or any part thereof, which is or shall be, or ought to be in possession of any such executor, administrator or guardian, or person who has been such, and which shall belong to, or be in any manner due to any heir, representative, distributee, legatee, or person who has been a ward; and all powers of attorney, from any person or persons who may have authority to execute the same, and which shall be acknowledged as aforesaid, authorizing any person or persons to sign, seal, make, execute or acknowledge any receipt, acquittance, release or final discharge for any such portion, distributive share, legacy, sum of money, or property as aforesaid, or any part thereof, shall be good and sufficient evidence in any court of this state, to prove the due execution or acknowledgment of any such power of attorney as aforesaid, and the same may be recorded in the office of the register of wills of the county in which the administration was granted, or in which the guardian was appointed or gave bond; *Provided*, that before any such power of attorney shall be so received in evidence, or recorded, if it be acknowledged before a mayor of a corporation, there shall be his certificate of the fact, under the seal of such corporation, or if it be acknowledged before a notary public, there shall be his certificate of the facts under his notarial seal; and if it be acknowledged before a justice of the peace, in any other county than that in which the administration was granted, or the guardian was appointed or gave bond, that there be also a certificate of the clerk of the county court, of the county in which such justice of the peace resides, under the seal of the

Powers of attorney from heirs, legatees, &c. may be acknowledged before the mayor of a corporation, or notary public.

Made valid.

May be recorded.

Certificates required, however.