

A SUPPLEMENT to the Act, entitled, an Act relating to Mortgages, passed at December session, eighteen hundred and thirty-three, chapter one hundred and eighty-one.—1839, ch. 58.

Affidavit
may be
made be-
fore justice
of the
peace, &c.

Be it enacted, by the General Assembly of Maryland, That the affidavit required by the third section of said act to which this is a supplement, to be made by the mortgagees, their executors, administrators or assigns, to the statement of the mortgage claim, may hereafter be made before any justice of the peace of this state, or judge of any court of this state, or before any notary public, or judge of any court of record of any other state, or of the United States.

To be
certified.

SEC. 2. *And be it enacted,* That where such affidavit shall be made before a notary public, it shall be authenticated by his notarial seal, or before a judge of any court of record, it shall be certified by the clerk of said court, under the seal of the court, and if made before a justice of the peace of any other county than that in which the proceedings have taken place, the clerk of the county court of such county shall certify, under seal of said court, that the said justice was at the time of said affidavit, a justice of the peace, duly commissioned and qualified.

Decree
may be
passed.

SEC. 3. *And be it enacted,* That the decree authorized by the second section of the act to which this is a supplement, may be passed as well after as before the period limited in the mortgage for payment of the debt, or for the foreclosure of the mortgage.

AN ACT to protect the lives of Persons travelling on Rail Roads within the State of Maryland.—1839, ch. 83.

Persons
causing ob-
structions,
guilty of
felony.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That from and after the passage of this act, if any person or persons shall place any thing or cause any thing to be placed on any rail road in this state, calculated to obstruct, overthrow or direct from the track of such rail road, any car, vehicle or carriage, travelling or passing on such rail road, with the view or intent to obstruct or overthrow any car, vehicle or carriage, such person or persons so offending, shall be deemed guilty of felony, and upon conviction thereof, shall be sentenced to the penitentiary for a period not less than two years nor more than ten years.

If death be
caused,
guilty of
murder.

SEC. 2. *And be it enacted,* That if the death of any person shall be occasioned by the overthrow or obstruction of any rail road car, vehicle or carriage, produced by the placing of any thing or obstruction on any rail road in violation of the first section of this act, then the person or persons so placing the thing or obstruction shall be deemed guilty of murder.

Penalty for
obstructing

SEC. 3. *And be it enacted,* That if any person or persons shall break or injure in any manner, any rail road in this state,