

Proviso. ing real estate, shall have like effect and operation as if the same had been made by the mortgagee in his life time; *Provided*, that no such release or conveyance shall in any manner prejudice the right of any assignee of the debt secured by said mortgagee who shall claim the same under an assignment in writing signed by the mortgagee in his life time, and shall have possession of the bond, note or other evidence of said debt, unless such assignee shall be a party to the said release or conveyance.

Release may be given by assignee of mortgagee.

SEC. 3. *And be it enacted*, That any release of mortgaged real estate made in the form prescribed in the preceding section after the death of the mortgagee by any assignee of the debt secured by said mortgagee, claiming an assignment in writing, signed by the mortgagor in his life time, and having actual possession of the bond, note or other evidence of debt, shall have like effect and operation as if the same had been made by the mortgagee in his life time; *Provided*, that if at the time of making any such release there shall be an executor or administrator of the mortgagee in being, such executor or administrator shall be a party thereto,

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Release may be given by executor of assignee.

SEC. 4. *And be it enacted*, That the executor, administrator or other person or persons claiming under, or by virtue of an assignment in writing signed by such assignee as is mentioned in the next preceding section and having actual possession of the bond, note or other evidence of debt as aforesaid, shall have full power to make any release as aforesaid, as could or might have been exercised by such original assignee.

Evidence of debt to be annexed to release.

SEC. 5. *And be it enacted*, That in every case where a release of a mortgage is made by an assignee thereof, under the provisions of this act, the assignment in writing, together with the bond, note or other evidence of debt shall be annexed to such release and be recorded therewith.

Assignment of mortgage not to avoid payment without notice.

SEC. 6. *And be it enacted*, That no assignment of a mortgage, or of the debt thereby secured, shall avoid any payment to the assignor made by the mortgagor or his representative at any time before actual notice has been given to the mortgagor or his representative of such assignment.

A SUPPLEMENT to the Act of eighteen hundred and twenty-seven, chapter one hundred and forty, entitled, an Act for the Education of Indigent Deaf and Dumb of this State.—1839, ch. 269.

Surplus of annual appropriation may be drawn.

Be it enacted, by the General Assembly of Maryland, That in case there shall be recommended to the governor of this state, by the trustees of the poor of the different counties, more indigent blind children than can be educated under the provisions of the act of eighteen hundred and thirty-seven, chapter one hundred and seventy-three, any surplus which may an-