

CHAP. 247. sale, conveying certain property herein specified, to him in trust, for certain purposes particularly specified in said deed; and which said deed has been recorded among the land records of Frederick county, but that through ignorance of the law on the part of the said grantors, the wife of said Grafton was not examined separate and apart from him at the time she acknowledged the execution of said deed; *And whereas, it is right and proper that the intention of said parties should be fully carried into execution, in the same manner and to the same extent as if all the forms of law had been fully complied with—Therefore,*

Deed made valid.

Section 1. *Be it enacted by the General Assembly of Maryland,* That the said deed be, and the same, after the said Alexander Duvall complies with the requisitions hereafter mentioned, is hereby declared to be as valid and operative, for all the purposes specified in the same, as if the said deed had been duly acknowledged by the said Elizabeth W. Duvall, separate and apart from, and out of the hearing of her said husband, and, as if the justices of the peace before whom the same was acknowledged, had certified that the said deed was acknowledged before them by the said Elizabeth W. Duvall, separate and apart from, and out of the hearing of her said husband; and that she had declared that she made such acknowledgment freely and voluntarily.

Report required.

Sec. 2. *And be it enacted,* That it shall be the duty of Alexander Thomas Hawkins Duvall, to render to the county court of Frederick county, within twelve months after he proceeds to discharge the trust in said deed prescribed, a full account of all sales and mortgages made under said deed, whether he has sold the whole or part of the land in said deed mentioned, at what price, and on what terms, and to whom; and in case any surplus of the proceeds of the purchase money remains in said trustees hands, after satisfying the claims in said deed mentioned, it shall be, and is hereby made his duty to invest the same in some public fund or other security, under the direction and approbation of the said court, and the said Grafton Duvall, shall be entitled, during his life, to the annual interest or dividends thence arising; and at his death, the said capital or surplus shall go to the children of the said Grafton and Elizabeth W. Duvall, share and share alike, and in case it should not be deemed necessary to sell the whole of the said real estate in said deed mentioned, then the land remaining unsold shall be enjoyed by the said Grafton Duvall, during his life, and at his decease, it shall go to the children of the said Grafton, by his wife, the said Elizabeth, in fee simple, as tenants in common.