

ARTICLE 79.

RELEASES AND RECEIPTS.

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| <ol style="list-style-type: none"> 1. To executors, administrators and guardians; where recorded. 2. Where and before whom acknowledged within this state; how certified. 3. Out of this state; how and before whom acknowledged. 4. May be executed by attorney duly authorized by power of attorney. 5. Power of attorney, where recorded. | <ol style="list-style-type: none"> 6. Releases retained by register of wills. 7. To trustees from residents of this state duly acknowledged, may be recorded in office of clerk or register. 8. To trustees from non-residents, may be recorded in like manner. 9. Certified copies to be evidence. 10. Releases of females over eighteen years of age valid. |
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An. Code, sec. 1. 1904, sec. 1. 1888, sec. 1. 1809, ch. 168, secs. 1, 2. 1829, ch. 216, sec. 7. 1831, ch. 305, secs. 3-5.

1. Any release or receipt executed to any executor, administrator, or guardian by any person authorized to execute the same, (and any female over eighteen years of age is hereby authorized to execute the same,) which shall be acknowledged and certified as hereinafter directed, may be recorded in the office of the register of wills of the county where letters testamentary or of administration were granted, or where the guardian was appointed or gave bond; and a copy of the record, under seal, of such release or receipt shall be evidence of such release or receipt.

Under this section a female eighteen years old may execute a release to a party who had been her guardian but who had been removed, a new one being appointed in his place. *McClellan v. Kennedy*, 8 Md. 230.

While releases of females eighteen years old to their guardians are valid under this section, such releases do not discharge from liability a third party holding funds in character of trustee; nor does a release to an executor discharge a trustee. *Hanson v. Worthington*, 12 Md. 440.

For cases referring to act of 1809, ch. 168, see *Warner v. Hardy*, 6 Md. 537; *Carroll v. Tyler*, 2 H. & G. 57; *Fouke v. Fleming*, 13 Md. 392.

Cited but not construed in *Greenwood v. Greenwood*, 28 Md. 385; *McClellan v. Kennedy*, 3 Md. Ch. 252; *Waring v. Waring*, 2 Bl. 674.

See art. 93, secs. 147 and 199.

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1809, ch. 168, sec. 1. 1831, ch. 305, sec. 1.

2. The releases and receipts mentioned in the preceding section may be acknowledged in this State before a justice of the peace; and if acknowledged before a justice of the peace of any other county or city than that in which it is to be recorded, there shall be a certificate of the clerk of the circuit court for the county, or of the superior court of Baltimore city, under the seal of the court, that the person before whom the acknowledgment was taken was at the time of the acknowledgment a justice of the peace; or before the mayor of a municipal corporation; and if so, the fact of his being mayor shall be certified under the seal of the corporation; or