

CHAP. 26. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall and may be lawful from and after the passage of this act, for the clerks of the respective county courts in this State, to administer the oath mentioned in the first section of said act, to the Sheriff of each county in this State, at the time he makes his return of jurors for the ensuing term of said respective courts, or at the opening of said courts.

Repealed.

SEC. 2. *And be it enacted by the General Assembly of Maryland,* That all that part of said section of said act, as is repugnant to, or inconsistent with this act, be and the same is hereby repealed; and this act shall go into operation from and immediately after its passage.

CHAPTER 26.

Passed Mar. 18, 1840. *A further supplement to the act relating to Mortgages.*

Upon death of mortgagee of land, his int. to devolve on executor. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That upon the death of a mortgagee of land, his interest and estate in the mortgaged premises, together with his right to the debt thereby secured, shall devolve on and vest in his executor or administrator.

Conveyance by executor to be valid. SEC. 2. *And be it enacted,* That a release or conveyance of mortgaged real estate made by the executor or administrator of a deceased mortgagee, and executed, acknowledged and recorded in the form prescribed by law, for conveying or releasing 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 by assignee to have like effect, &c. 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 lifetime, and having actual possession of the bond, note or other evidence of debt, shall have like effect and opera-