

the Annotated Code of Maryland (1957 Edition), title "Mortgages", sub-title "In General", to follow immediately after Section 30 thereof, and to read as follows:

30A. *In Charles County any person who owns or has any interest in real estate or personal property on which a mortgage or deed of trust exists may, after twenty days written notice, by registered or certified mail to the person entitled to such encumbrance, apply to the Circuit Court for Charles County to have the same released as a lien on the property described in the encumbrance and owned by the Petitioner; and upon proof that it* IN CHARLES COUNTY, ANY PERSON WHO OWNS OR HAS ANY INTEREST IN REAL ESTATE ON WHICH A MORTGAGE OR DEED OF TRUST REMAINS UNRELEASED OF RECORD TWENTY YEARS AFTER THE DATE OF MATURITY OF SAID INSTRUMENT, OR TWENTY YEARS AFTER THE DATE OF THE LAST PAYMENT CALLED FOR IN SAID INSTRUMENT, SHALL HAVE THE RIGHT TO FILE A BILL IN EQUITY RECITING THE ABOVE FACTS. ALL PARTIES TO SAID INSTRUMENT, INCLUDING BUT NOT LIMITED TO THE MORTGAGEE OR MORTGAGEES, THEIR PERSONAL REPRESENTATIVES, SUCCESSORS OR ASSIGNS, THE TRUSTEES, THEIR SUCCESSORS OR ASSIGNS, OR ANY PARTY NAMED IN THE INSTRUMENT, THEIR PERSONAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS, SHALL BE MADE PARTIES TO THE BILL AND SUMMONED OR SERVED WITH NOTICE BY PUBLICATION, AS IN OTHER EQUITY CASES. UPON PROOF THAT THE SAID INSTRUMENT OR INSTRUMENTS AND THE DEBT THEREBY SECURED *has been paid or discharged or upon its appearing to the Court that more than twenty years have elapsed since the maturity of the mortgage or deed of trust, raising a presumption of payment which has not been rebutted at the hearing, the Court shall order the same to be entered by the Clerk on the margin of the page in the book wherein the encumbrance is recorded, which entry, when made, shall operate as a release of such mortgage or deed of trust as to the property of the Petitioner.*

*Nothing herein shall be construed as affecting the debt secured as between the parties to the mortgage or deed of trust.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1959.

Approved April 28, 1959.

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## CHAPTER 697

(House Bill 751)

AN ACT to repeal and re-enact, with amendments, Section 123 of Article 2B of the Annotated Code of Maryland (1957 Edition),

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EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.