

RIGHTS OF THIS STATE, OR BECAUSE CONTRARY TO THE CONSTITUTION OF THE UNITED STATES, it shall be the duty of the said court [of] or judge ordering such release or discharge for said cause to reduce his opinion to writing within five days after ordering said release or discharge, and to transmit the original papers in said case, together with a copy of its or his order of release or discharge, and of his said opinion, under his hand and seal, to the Clerk of the Court of Special Appeals; and it shall be the duty of the said court to consider the papers so transmitted to its said clerk, including said order of release or discharge, and said opinion, at the earliest practicable period, after the receipt thereof by its said clerk, and to give its opinion in writing upon the case so presented; and the said opinion so given shall have and possess the same authority as if the same was filed in a case formally heard and determined in said court on appeal.

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1971.

Approved April 23, 1971.

CHAPTER 79

(Senate Bill 389)

AN ACT to repeal and re-enact, with amendments, Section 36A of Article 21 of the Annotated Code of Maryland (1966 Replacement Volume and 1970 Supplement), title "Conveyancing," subtitle "Mortgages," providing that when the debt secured by a deed of trust is fully paid or satisfied, and the bond, or bonds, or note or notes, or other evidence of the total indebtedness is marked "paid" or "cancelled" by the original payee or holder, it may be received by the clerk and indexed and recorded as any other instruments in the nature of a release and shall have the same effect as a release of the property for which it is the security as a release executed by the named trustees, provided there is attached to or endorsed upon the note an affidavit of the party making satisfaction that it has been paid or satisfied, and specifically setting forth the land record reference where the original deed of trust is recorded; and providing a sample affidavit form.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 36A of Article 21 of the Annotated Code of Maryland (1966 Replacement Volume and 1970 Supplement), title "Conveyancing," subtitle "Mortgages," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

36A.

When the debt secured by a deed of trust is fully paid or satisfied, and the bond, or bonds, or note or notes, or other evidence [or evidences] of the total indebtedness is marked "paid" or "cancelled" by the original payee or holder, it may be received by the clerk and indexed and recorded as *any* other instruments in the nature of a