

C H A P. LI.

An ACT to establish a public road in Prince-George's county, from Landsdale's branch to intersect a road leading to the Oyster-shell landing, on Patuxent river.

Passed 20th of January, 1808.

WHEREAS sundry inhabitants of Prince-George's county, by their petition to this general assembly, have represented, that there has been a private road for thirty years past leading from the public road between Queen-Anne and Upper-Mar borough, at Landsdale's branch, down Patuxent river, which intersects a public road near Joseph W. Clagett's, leading to the Oyster-shell landing, on said river, and as the establishing the same as a public road would greatly promote the convenience of the inhabitants residing near said road, and be of public utility, they have prayed that the same may be made a public road, and kept up and repaired under the same regulations as other public roads in said county, which appearing to this general assembly reasonable, therefore,

Preamble

II. BE IT ENACTED, by the General Assembly of Maryland, That the road in Prince-George's county, leading as aforesaid from the public road at Landsdale's branch, near Queen-Anne, until it intersects a road leading to the Oyster-shell landing, on Patuxent river, near Joseph W. Clagett's, as now opened and used, be and the same is hereby declared, deemed and taken, to be a public road for ever, and shall hereafter be kept up and repaired as other public roads are in said county, any law to the contrary notwithstanding.

Road declared public, &c.

C H A P. LII.

An ACT for quieting possessions, and securing and confirming the estates of purchasers.

Passed 20th of January, 1808.

WHEREAS deeds for conveying lands, and other real estates, have been executed and acknowledged by *femes-covert*, and doubts are entertained whether they are effectual to convey the property therein contained, because the precise form of acknowledgment had not been pursued: And whereas doubts are also entertained whether deeds acknowledged under a power of attorney, in the name of the attorney, and not in the name of the principal, are valid: And whereas doubts are also entertained whether deeds acknowledged before two justices of the peace, who were not justices of the county court, are valid: And whereas also deeds of bargain and sale have been executed, without having been indented, under which deeds property has long been peaceably held; and if such deeds are adjudged to be void, *bonâ fide* purchasers will be greatly injured, and creditors deprived of the funds on which the credit was given, it having been obviously the meaning and intention of the parties to such deeds, that the property should be conveyed as expressed therein, and sound policy and justice dictate that all such defective deeds should be aided by law; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That all deeds heretofore made for conveying or passing any estate of inheritance or freehold, or declaring or limiting any use or uses, trust or trusts, or for conveying any estates for above seven years, and all acknowledgments of a release or relinquishment of a right of dower in lands, tenements or hereditaments, which have been acknowledged by *feme-coverts*, in which acknowledgments the precise form prescribed by law has not been observed, and all deeds for conveying any estate as aforesaid, heretofore made and acknowledged in virtue of a power of attorney, in which the acknowledgment is made by the attorney, in his own name, and not in the name of his principal, and all deeds for conveying any estate as aforesaid, heretofore made and acknowledged before two justices of the peace of any county in this state in which the acknowledgment is made, and all deeds of bargain and sale for conveying any estate as aforesaid, heretofore made and not indented, shall be, and the same are hereby declared to be, of the same effect and validity, to pass the property and estate limited and expressed therein, as if such deeds had been, by such *femes-covert*, acknowledged in the precise form heretofore prescribed by law, as if such deeds had been acknowledged by the attorney in the name of the principal, as if such deeds had been acknowledged before any judge of the late general court, or before a judge of the county court, and as if such deeds had been duly indented; provided it shall appear, by the acknowledgment of such *femes-covert*, that the same was made willingly, and out of the presence and hearing of the husband, or privately and willingly out of the hearing of the husband, or words to that effect; and provided also, that in every other respect the aforesaid deeds have been executed, acknowledged and recorded, agreeably to the laws heretofore made on the subject.

Certain deeds to have effect, &c.

III. AND BE IT ENACTED, That any two justices of the peace, within their own county, shall have the same power and authority to take the acknowledgments of deeds for conveying property as aforesaid, as the judges of the county courts respectively have.

Two justices may take acknowledgments, &c.