

Dec. Ses. 1823

Passed Feb.  
25, 1824.  
Preamble.

Deed autho-  
rised.

Commission-  
ers to esti-  
mate and cer-  
tify.

Title:

## CHAPTER 205.

An act for the benefit of Ann Rochester and Francis Rochester.

WHEREAS, it is represented to this General Assembly, that ANN Rochester and Francis Rochester, son of Daniel Rochester, deceased, of Queen Ann's county, are possessed of certain lands adjoining the lands of Winbert Tschudy, and that it would be advantageous to exchange the said lands with the said Winbert Tschudy—Therefore,

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That it shall and may be lawful for Ann Rochester and Francis Rochester within six months after the passage of this act, to execute and acknowledge a deed of bargain and sale conveying to Winbert Tschudy, his heirs and assigns, any part of the lands in Queen Ann's county, now held and owned by the said Ann Rochester and Francis Rochester, as by the last will and testament of Daniel Rochester may appear, and that the said deed when executed, acknowledged and recorded in the manner directed by the laws of this state, shall have the same force and effect as if the said Francis Rochester had obtained the age of twenty-one years before the execution of the deed: *Provided always,* that the said deed so to be executed by the said Ann Rochester and Francis Rochester, shall not pass any interest or estate in the lands therein mentioned, until the said Winbert Tschudy shall execute and acknowledge a deed of bargain and sale, conveying to the said Ann Rochester and Francis Rochester, his heirs and assigns, so much land as shall be equal in value to the land to be conveyed as aforesaid by the said Ann Rochester and Francis Rochester.

2. *And be it enacted,* That Benjamin S. Elliott, Francis Kirby, Nathaniel Meginnis, James Roberts, and David Spry, of Queen Ann's county, be, and they are hereby authorised to estimate and ascertain the value of the lands to be conveyed to the said Ann Rochester and Francis Rochester; and it is hereby enacted and declared, that the deed to be executed by the said Ann Rochester and Francis Rochester shall not have any force or effect, unless the said Benjamin S. Elliott, Francis Kirby, Nathan Meginnis, James Roberts, and David Spry, shall, by a certificate under their hands, to be endorsed on the deed to be executed by the said Winbert Tschudy to the said Ann Rochester and Francis Rochester, express their opinion that the lands mentioned in the said deed conveyed are equal or more than equal in value to the lands conveyed by the said Ann Rochester and Francis Rochester to Winbert Tschudy, and that the same is in their opinion free and clear of all incumbrance whatsoever.

3. *And be it enacted,* That the land to be conveyed to the said Ann Rochester and Francis Rochester by the said Winbert Tschudy, shall vest in them the same title, and be held in the same manner, agreeable to the last will and testament of Daniel Rochester, and shall descend after the death of the said Francis Rochester to the same persons, and for the same interest and estate, as the land to be conveyed by the said Ann Rochester and Francis Rochester would have descended if this law had not been passed, in case no disposition thereof shall be made by the said Francis Rochester during his life.

## CHAPTER 206.

A further supplement to the act entitled, an act concerning Crimes and Punishments.

Passed Feb. 26, 1824.  
Keeper of Penitentiary.

SEC. 1. *Be it enacted by the General Assembly of Maryland,* That from and after the passage of this act it shall be the duty of the Governor and Council, and they are hereby authorised and empowered to