

CHAP. 99. for which the said Otho paid a part only of the purchase money, and left due to said Robert Lyles a balance of three thousand dollars, to secure the payment of which, the said Otho, on the twenty-first day of June, in the year eighteen hundred and nineteen, executed a deed of Mortgage, and acknowledged the same before two justices of the peace, and delivered the same to the said Robert Lyles, the mortgagee, who, afterwards, to wit, on the twelfth day of October, in the year eighteen hundred and nineteen, had the same recorded among the land records of Frederic county, believing, as did also the said Sprigg, the same to be a good and valid deed of mortgage for the purposes therein mentioned: That the said Robert Lyles afterwards assigned his said claim, under said mortgage, to said John Sprigg, who is since dead. And whereas, it has been recently discovered, that although the said deed of mortgage was duly acknowledged before two justices of the peace as aforesaid, and they have subscribed their names as witnesses to the execution thereof, yet that they have omitted to write out at full length and in due form the acknowledgment so made before them, and to attest such acknowledgment by their signatures, whereby doubts are entertained as to the legal sufficiency of said acknowledgment; And whereas, it is right and just that omissions of mere matter of form by the state's officers in the discharge of their official duties should not be used to the prejudice of the rights of those confiding in the accuracy of said officers—Therefore,

Deed declared valid

Be it enacted by the General Assembly of Maryland, That the said deed of mortgage, executed by the said Otho Sprigg, of Frederick county, on the twenty-first day of June, in the year eighteen hundred and nineteen, in favor of Robert Lyles, and recorded in liber IS. number nine, folios five hundred and sixty nine and five hundred and seventy, one of the land record books of Frederick county, on the twelfth day of October, in the year eighteen hundred and nineteen, be, and the same is hereby declared to be, as valid and effectual, to all intents and purposes, as if the same had been executed, acknowledged and recorded on the twelfth day of October, in the year eighteen hundred and nineteen, in the manner prescribed by the laws of this state.

CHAPTER 100.

Passed Febry. 20,
1828.

An act to authorise the Levy Court of Somerset county to contract for the removal of certain obstructions in Barren, Rewastico, Quantico, and Wet-pquin creeks and their several branches, and to levy the expenses thereof upon the said county.

Contract and assessment authorised.

SECTION 1. Be it enacted by the General Assembly of Maryland, That the justices of the levy court of Somerset county be, and they be eby are authorised and empowered to contract, on the best obtainable terms, for the removal of all stakes, sticks