

CHAPTER 51

(Senate Bill 75)

AN ACT to repeal and re-enact, with amendments, Sections 106, 107 and 108 of Article 21 of the Annotated Code of Maryland (1955 Supplement), title "Conveyancing", sub-title "Defective Conveyances", validating certain defective deeds, mortgages, bonds of conveyances, bills of sale and other conveyances, and correcting errors in said Section 108.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 106, 107 and 108 of Article 21 of the Annotated Code of Maryland (1955 Supplement), title "Conveyancing", sub-title "Defective Conveyances", be and is hereby repealed and re-enacted, with amendments, to read as follows:

106. Validation of deeds with clerk's certificate as to justice or lacking seal of foreign notary.

All deeds of conveyance of property in this State which may have been recorded without any certificate of the clerk of any of the courts of this State accompanying the acknowledgment thereof, in cases in which such certificates are necessary and proper, certifying to the official character and signature of the justice of the peace taking the same, and all deeds of conveyance of property in this State which may have been recorded without the seal of the notary public before whom the acknowledgment was taken, having been first attached, when the grantor resided in another state, and the acknowledgment was made in that state, shall be valid to all intents and purposes as if such defect and omission did not exist; provided, that the execution and acknowledgment of such deeds in all other respects conformed to the laws of this State, in such cases made and provided; saving, nevertheless, the rights of bona fide purchasers and incumbrances without notice who may have become so prior to June 1, [1955] 1956.

107. Validation of certain acknowledgments or deeds not properly witnessed or sealed or made before bonus tax paid.

All deeds, mortgages, releases, bonds of conveyances, bills of sale, chattel mortgages and all other conveyances, ~~or~~ OF real or personal property, or of any interest therein or agreements relating thereto which may have been executed, acknowledged or recorded in the State subsequent to the passage of the act of the General Assembly of Maryland, passed at its January Session, 1858, Chapter 208, which may not have been acknowledged according to the laws existing at the time of said acknowledgment, or which may not have been acknowledged before a proper officer, or in which the certificate of acknowledgment or affidavit of consideration is not in the prescribed form, or in which the official character of the officer taking the acknowledgment is not set out in the body of the certificate, or has not been certified to as required by law, or in which the

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.