

When the seal affixed shall contain the name or the official style of the officer, any error in stating, or failure to state otherwise the name or the official style of the officer, shall not render the certificate defective.

(3) A certificate of acknowledgment of a deed or other instrument acknowledged without the United States before any officer mentioned in section 1¹ shall also be valid if in the same form as now is or hereafter may be required by law, for an acknowledgment within this state.

See notes to secs. 2 and 3.

An. Code, sec. 6. 1904, sec. 6. 1888, sec. 6. 1856, ch. 154, sec. 87.

6. Every officer, before whom any acknowledgment shall be made shall give a certificate thereof and endorse on or annex to the deed such certificate, and the certificate shall be recorded with the deed.

The acknowledgment must be recorded along with the deed, and if it is not so recorded, the record gives no additional validity to the deed. *Budd v. Brooke*, 3 Gill, 230.

In making the certificate of acknowledgment, the justice acts ministerially. How the sufficiency of the acknowledgment is determined. *Lewis v. Waters*, 3 H. & McH. 432.

This section referred to in construing secs. 1 and 3. *Sitler v. McComas*, 66 Md. 139.

See notes to secs. 2 and 3.

An. Code, sec. 7. 1904, sec. 7. 1888, sec. 7. 1856, ch. 154, sec. 88.

7. To every certificate of acknowledgment, taken without this State, before the judge of any court having a seal, the seal of such court shall be affixed.

An. Code, sec. 8. 1904, sec. 8. 1888, sec. 8. 1856, ch. 154, sec. 89.

8. The certificate of acknowledgment shall contain :

1st. The name of the person making the acknowledgment.

2d. The official style of the officer taking the acknowledgment.

3d. The time when it was taken.

4th. A statement that the grantor acknowledged the deed to be his act, or made an acknowledgment to the like effect.

Where a mortgage by a corporation is acknowledged by the attorney as "his" act, the acknowledgment though formally defective, was held valid in the light of the mortgage itself. *Frostburg Bldg. Assn. v. Brace*, 51 Md. 510. And see *Basshor v. Stewart*, 54 Md. 380.

An acknowledgment reading "on this — day of August," etc., is valid when the true date appears from the mortgage itself, from the certificate of the clerk and from the date of record. *Kelly v. Rosenstock*, 45 Md. 394.

As to acknowledgments by a corporation, see art. 23, sec. 127.

An. Code, sec. 9. 1904, sec. 9. 1888, sec. 9. 1856, ch. 154, sec. 24.

9. All deeds conveying real estate which shall contain the names of the grantor and grantee, or bargainor and bargainee, a consideration in cases where a consideration is necessary to the validity of a deed, and a description of the real estate sufficient to identify the same with reasonable cer-

¹ *Quaere*, is not the reference intended to be to sub-sec. (1) of sec. 5?