Possession by the grantees of the grantee, is within the spirit and meaning of this section. Notice of possession—proof thereof. Bryan *v.* Harvey, 18 Md. 127.

This section has no application to a question of priority beween a mortgage and a judgment. Mortgages are especially excepted from its operation. Knell *v.* Green St. Bldg. Assn., 34 Md. 72.

Possession held to be sufficient notice to cause inquiry. Hardy *v.* Summers, 10 G. & J. 324.

This section does not affect the rule that the title does not pass until the deed is recorded, nor does it affect the priorities given by section 16. Nickel *v.* Brown, 75 Md. 187.

Cited but not construed in Gill *v.* Griffith, 2 Md. Ch. 287.

1904, art. 21, sec. 21. 1888, art. 21, sec. 21. 1860, art. 24, sec. 21. 1831, ch. 304.

21. But as against all creditors who have become so before the recording of such deed or conveyance, and without notice of the existence thereof, such deed or conveyance shall have validity and effect only as a contract for the conveyance or assurance of the estate, interest or use, purported by such deed or conveyance to be conveyed or assured.

A deed not recorded as provided in section 13, does not affect existing creditors or creditors becoming such between the date of the deed and the date of its record. As to such creditors without notice, the deed is valid and effective only as a contract for the conveyance. Creditors held not to be charged with notice, by possession or otherwise. Hearn *v.* Purnell, 110 Md. 466. And see Hoffman *v.* Gosnell, 75 Md. 590; Sixth Ward Bldg. Assn. *v.* Willson, 41 Md. 514.

This section does not impair the rights of parties claiming under a trust, nor equitable rights and liens. Carson *v.* Phelps, 40 Md. 100.

This section has no application to a question of priority between a mortgage and a judgment. Mortgages are especially excepted from its operation. Knell *v.* Green St. Bldg. Assn., 34 Md. 72.

This section does not affect the rule established by previous sections, that the title does not pass until the deed is recorded. Nickel *v.* Brown, 75 Md. 187.

Cited but not construed in Coombs *v.* Jordan, 3 Bl. 325.

See notes to sec. 19.

Ibid. sec. 22. 1888, art. 21, sec. 22. 1860, art. 24, sec. 22. 1860, ch. 133, sec. 2.

22. When any deed has been acknowledged before a commissioner appointed to take the acknowledgment of deeds out of the State, whether the commissioner had qualified or not by taking the oath and transmitting his signature and the impression of his seal to the secretary of State, as required by law, the same shall be as valid as if said commissioner had been duly qualified and was duly authorized to take acknowledgments of deeds; and when any commissioner to take acknowledgments of deeds out of this State had duly qualified and was acting as such previous to the passage of the act of eighteen hundred and fifty-two, chapter one hundred and six, and continued so to act, without having qualified as required by the said act, and as such commissioner took the acknowledgment of any deed or mortgage, such deed or mortgage shall be as valid as if the said commissioner had been duly qualified to act at the time of the taking of such acknowledgment, or doing any other official act.

Ibid. sec. 23. 1888, art. 21, sec. 23. 1860, art. 24, sec. 23. 1715, ch. 47, sec. 4. 1794, ch. 57.

23. Neither livery of seisin nor indenting shall be necessary to the validity of any deed.