

the time for hearing before him if deemed by him necessary or important.

As to commissions to take testimony outside of Maryland, see sec. 16, *et seq.*

1904, art. 35, sec. 37. 1888, art. 35, sec. 35. 1860, art. 37, sec. 34.
1841, ch. 107, sec. 1.

37. All witnesses summoned under such commissions shall be allowed the same pay for their attendance as is allowed for the attendance of witnesses before justices of the peace, to be paid by the party summoning them.

Evidence of Consideration.

Ibid. sec. 38. 1900, ch. 362, sec. 35 A.

38. Where an action, suit or other proceeding is brought for the purpose of charging any person on a special promise to be answerable for the debt, default or miscarriage of another person, it shall not be necessary to show that the consideration for such promise is in writing.

This section referred to in deciding that prior to its adoption, it was not necessary that the consideration should be stated in express terms, it being sufficient if a consideration could be collected or implied with certainty from the instrument itself. *Klosterman v. United Electric Co.*, 101 Md. 31.

This section referred to in deciding that an undertaking made prior to the adoption of this section, was an original and not a collateral one. *Dryden v. Barnes*, 101 Md. 351.

Typewriting.

Ibid. sec. 39. 1900, ch. 598.

39. All typewriting heretofore executed or done, and all typewriting which may be hereafter executed or done for any purpose, and in any instrument whatsoever, shall have the same legal force, meaning and effect as writing, and writing shall be taken and held to include typewriting; provided, that this section shall not be so construed as to in any manner affect or change the law as it now is respecting signatures.

Proof of Foreign Debts and Other Instruments.

Ibid. sec. 40. 1888, art. 35, sec. 36. 1860, art. 37, sec. 35.
1785, ch. 46, sec. 1.

40. An exemplification of the record, under the hand of the keeper of the same and the seal of the court or office where such record may be made, shall be good and sufficient evidence in any court of this State to prove any debt of record made or entered in any other of the United States, or in any foreign country.

The record of a foreign judgment held to have been properly certified both under the revised statutes of the United States, and under this section. *Harryman v. Roberts*, 52 Md. 77.