

be good and sufficient evidence in any court of this State to prove such incorporation.

As to proof of the incorporation of domestic corporations, see art. 23, sec. 5.

As to foreign corporations, see art. 23, sec. 90, *et seq.*

1904, art. 35, sec. 44. 1888, art. 35, sec. 39. 1860, art. 37, sec. 33. 1785, ch. 46, sec. 3. 1888, ch. 545.

44. Where any deed, bond, bill, note or other instrument of writing hath been executed in any other of the United States or in any foreign country and to give validity to which recording or registering is not made necessary, proof of the execution of such deed, bond, bill, note, or other instrument of writing by the oath of the subscribing witnesses to the same, or any of them, taken before a commissioner of this State to take acknowledgment of deeds, or before any court, judge or justice or other officer of the State or country where such deed, bond, bill or instrument hath been executed, having authority by law to administer an oath, and a certificate under seal from the governor, chief magistrate or a notary public of such State or country, that the court or officer before whom such oath was taken had authority to administer an oath, and that such oath hath been duly made before such court, judge, justice or other officer, or if proved before the commissioner or notary public aforesaid, the same to be certified under his official seal, shall be good and sufficient evidence in any court of this State to prove such deed, bond, bill, note or other instrument.

See sections 42 and 66.

Ibid. sec. 45. 1888, art. 35, sec. 40. 1860, art. 37, sec. 39. 1785, ch. 46, sec. 3. 1882, ch. 77.

45. If there be no subscribing witnesses to any such deed, bond, bill, note or other instrument of writing, or if all the witnesses thereto shall die before the execution thereof be proved as aforesaid, proof by a credible witness to the handwriting of the party making the same, or to the handwriting of the subscribing witnesses to the same, or any of them, taken and certified as directed in the preceding section, shall be good evidence to prove such deed, bond, bill, note or other instrument of writing.

Ibid. sec. 46. 1888, art. 35, sec. 41. 1860, art. 37, sec. 40. 1785, ch. 46, sec. 3.

46. But if any suit be brought in any court of this State upon any instrument of writing proved as hereinbefore directed to recover any sum of money or other valuable thing specified therein to be due, the party bringing such suit shall at or before the first imparlance court make oath before some judge or justice of this State or before the commissioner aforesaid, or some judge or justice or other officer of the State or country where such instrument of writing hath been executed having authority to administer an oath, and to be certified as aforesaid that such instrument of writing was duly executed by the person therein