

before a notary; and if so, the fact of his being a notary shall be certified under his notarial seal; or before a judge of the orphans' court; and if before a judge of the orphans' court of any other county than that in which it is to be recorded, there shall be a certificate of the register of wills of his county, under the seal of his office, that at the time of the acknowledgment he was a judge of the orphans' court; or before a judge of the circuit court; and if before a judge of any other judicial circuit than that in which the county in which it is to be recorded is situated, there shall be a certificate from the clerk of the circuit court for the county in which it is acknowledged that he was a judge of the circuit court for that county at the time of the acknowledgment; or before a register of wills; and if before a register of wills of any other county than that in which it is to be recorded, there shall be a certificate of the chief judge of the orphans' court of the county in which he is register that he was register at the time of such acknowledgment; but if the acknowledgment is made before a justice of the peace, judge of the orphans' court or register of wills of the county in which the release or receipt is to be recorded, or before a judge of the judicial circuit in which said county is situated, no such certificate shall be necessary.

Cited but not construed in *McClellan v. Kennedy*, 3 Md. Ch. 252.

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1809, ch. 168, sec. 3. 1831, ch. 305, sec. 4.

3. Such releases may be acknowledged out of this State before the mayor of a municipal corporation, notary public, judge of any court of record, justice of the peace, alderman, consul-general, consul or vice-consul of the United States residing in a foreign country. If acknowledged before the mayor of a municipal corporation, there shall be a certificate that he is mayor under the seal of the corporation. If acknowledged before a notary public, there shall be his certificate of the fact under his notarial seal. If acknowledged before a judge of a court, there shall be a certificate from the clerk of the court of which he is judge, under the seal of the court, certifying to the facts that at the time such acknowledgment was made he was a judge of such court, and that such court is a court of record. If acknowledged before a justice of the peace, there shall be a certificate, under seal, from the governor, chief magistrate, or clerk of a court of such State or county, certifying to the fact that the person before whom such acknowledgment was made was at the time a justice of the peace. If acknowledged before an alderman, there shall be a certificate from the mayor under the seal of the corporation, or from a notary public under his notarial seal that he was an alderman at the time of such acknowledgment. If acknowledged before a consul-general, consul or vice-consul, there shall be a certificate of the fact that he is such officer under his seal.

An. Code, sec. 4. 1904, sec. 4. 1888, sec. 4. 1825, ch. 160. secs. 1, 2. 1831, ch. 305, secs. 1, 2.

4. Any release or receipt mentioned in the two preceding sections may be executed in virtue of a power of attorney for that purpose; provided, such power of attorney, if executed within this State, shall be acknowledged and certified as if it were a release, and if executed out of the State, shall