

the said court, that the said justice at the time of said acknowledgment was duly commissioned and sworn.

MORTGAGES.

34. Deeds of mortgage conveying any use, estate, or interest in land shall be executed, acknowledged, and recorded as absolute deeds of the same.

35. No mortgage shall be valid except as between the parties thereto, unless there be indorsed thereon an oath or affirmation of the mortgagee that the consideration in said mortgage is true and *bonâ fide* as therein set forth; this affidavit may be made at any time before the mortgage is recorded, before any one authorized to take the acknowledgment of a mortgage, and the affidavit shall be recorded with the mortgage.

36. The affidavit required by the preceding section may be made by one of several mortgagees, and shall have the same effect as if made by all, or the said affidavit may be made by any agent of a mortgagee, and when made by an agent he shall, in addition to the affidavit above mentioned, make affidavit to be indorsed upon the mortgage that he is agent of the mortgagee or mortgagees, or some one of them, which affidavit shall be sufficient proof of such agency, and the president or other officer of a corporation, or the executor of the mortgagee, may make such affidavit.

37. An assignment of a mortgage may be made in the following form or to the like effect:

"I hereby assign the within mortgage to the assignee.

"Witness my hand and seal this _____ day of _____.

[SEAL.]"

And such assignment shall be recorded on the record in the office of the clerk of the court where the original mortgage is recorded, and at or near the foot of the said mortgage, in a blank to be left by the clerk, who shall record such mortgage.

38. Every assignment made in the above form, or the same in substance, indorsed upon the original mortgage, shall be construed and deemed sufficient to convey to the assignee every right which the assignor possessed under said mortgage at the time of the assignment thereof, in as full and ample a manner as any instrument of writing whatever could do.

39. A release of a mortgage may be made in the following form, or to the like effect:

"I hereby release the above (or within) mortgage.

"Witness my hand and seal this _____ day of _____.

[SEAL.]"

40. Such release may be written by the mortgagee, or his assignee, upon the record in the office where the mortgage is recorded,

Art 24 c 28
1856 c 154, s 111.
How to be executed, acknowledged, and recorded
29 Md 179 33
Md 235, 41 Md
514

Id s 29
1856, c 154, s 112.
Affidavit to consideration
13 Md 392, 16
Md 200, 27 Md
52, 200, 242, 257;
29 Md 54, 211;
40 Md 96 137;
41 Md 425, 432;
45 Md 260.

Id s 30
1856, c 113
By and before whom affidavit to be made.

1868, c 373
Assignment of mortgage
26 Md 173, 29
Md 50, 30 Md
367, 39 Md 461.

To be recorded at foot of mortgage

Art 24, s 32
1856 c 154, s 117.
Effect of such assignment
29 Md 50, 595.

Id. s 33
1856, c 154, s 118
Release of mortgage
29 Md 173;
34 Md 414

Id s 34
1856, c 154, s 119
May be entered