

where the same may be executed, require to be recorded or registered, and which has been recorded agreeably to such laws, under the hand of the keeper of such record or register and the seal of the court or office in which such record or register has been made, or a copy of any deed or other instrument of writing lodged for safe keeping in any office or court agreeably to the laws of the State or country as aforesaid, and certified as aforesaid, shall be good and sufficient evidence in any court of this State to prove such deed or instrument of writing.

Bruce v Smith, 3 H & J. 499. Preston v. Evans, 56 Md 478. DeRiesthal v. Walton, 66 Md. 473.

P. G. L., (1860,) art. 37, sec. 38. 1785, ch 46, sec. 3. 1888, ch. 545.

**39.** 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 acknowledgement 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.

Ibid sec. 39. 1785, ch. 46, sec. 3. 1882, ch. 77.

**40.** 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