

writing, and writing shall be taken and held to include type-writing; 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.

An. Code, sec. 40. 1904, sec. 40. 1888, sec. 36. 1785, ch. 46, sec. 1.

43. 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.

By this section and sec. 67, a distinction is made between record of a foreign judgment and that of a domestic judgment. When it is necessary that complete record of foreign judgment should be produced to make it evidence. Papers certified by clerk alone cannot be said to be such an exemplification of record as is authorized by this section. *Mundy v. Jacques*, 116 Md. 21.

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

An. Code, sec. 41. 1904, sec. 41. 1888, sec. 37. 1813, ch. 164.

44. No sentence, judgment or decree, final or interlocutory, of any judge, court, board, council or tribunal, having or exercising municipal, admiralty or prize jurisdiction without the limits of the United States and its territories shall be conclusive evidence in any case or controversy in the courts of this State of any fact, matter or thing therein contained, stated or expressed, except of the acts or doings of such foreign judge, court, board, council or tribunal; provided, that nothing herein contained shall impair or destroy the legal effects of any such foreign sentence, judgment or decree on the property affected or intended to be affected thereby.

The sentence of condemnation of a foreign prize court is evidence of the facts which it purports to decide in an action on a policy of insurance on thing condemned, and prior to this section was conclusive evidence thereof. The proof upon which such sentence may have been predicated, is not *per se* admissible in such collateral action. *Maryland Insurance Co. v. Bathurst*, 5 G. & J. 220. And see *Taylor v. Phelps*, 1 H. & G. 492.

An. Code, sec. 42. 1904, sec. 42. 1888, sec. 38. 1785, ch. 46, sec. 2.

45. The copy of the record or register of any deed or other instrument of writing which the laws of the State or country 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.

Before an assignment for benefit of creditors executed in Ohio and not in conformity with our law, is admissible in evidence here, it should be proved that the assignment was executed and delivered, and required to be recorded in the court which certified it. *De Riesthal v. Walton*, 66 Md. 473.