In *Erskine* v. *Davis, supra*, Caton, C. J., said: "The objection to the execution of the deed by Margaret is that her name in the body of the deed is written Margaret *A.* Gittings, and her signature to the deed is Margaret *S.* Gittings, which is the real name of the party who owned that interest in the land, and who designed to convey the interest by the deed she thus executed. The middle name might have been wholly omitted in the body of the deed or in the signature, and the conveyance still be held good if the party actually owning the premises and intending to convey them was intended to be described in the deed and she actually signed it. In the law the middle letter of a name is no part of the name. It may be dropped and resumed or changed at pleasure, and the only inquiry is one of substance—was the deed in fact executed by the proper party?"

In *Franklin* v. *Talmadge*, 5 Johns. 84 (1809), an action of trespass *quare clausum fregit*, the plaintiffs produced a perfect title to William T. Robinson and others. The defendants objected to the deed on account of the variance as to the name of William Robinson named in the declaration. Plaintiffs offered to prove that one of the plaintiffs was as well known by the name of William Robinson as by the name of William T. Robinson; and that he was sometimes called by the one name and sometimes by the other. The Court ruled against the plaintiffs, who were nonsuited. The non-suit was subsequently set aside and new trial awarded, the Court saying: "The addition of the letter T. between the Christian name and surname of the plaintiff did not affect the grant, which was to be taken benignly for the grantee. It was no part of his name, for the law knows only of one Christian name, and it was perfectly competent for the plaintiff to have shown, if necessary, that one of the plaintiffs was known as well with as without the insertion of the letter T. in the middle of his name, though even that was not requisite in the first instance nor unless made necessary by testimony on the part of the defendant."

To the same effect are: *Gaines* v. *Dunn*, 39 U.S. 322 (1840), and *Schofield* v. *Jennings*, Adm'r, 68 Ind. 232 (1879), where the earlier cases are collected.

In *Van Voorhis* v. *Budd*, 39 Barb. 479 (1863), an action brought to recover damages for seizure and sale of a horse, the defendant justified under a tax warrant. The tax was assessed to Henry