

impeached or defeated, either at law or in equity, by reason that the mortgaged premises were purchased in by the mortgagee or his assignee, or his legal representatives, or for his benefit or account.

Purpose of this section. If the mortgagee or his assignee has acquired the property in an oppressive or unfair manner, the sale will be set aside. *Read v. Reynolds*, 100 Md. 292.

This section has no application if the terms in the power of sale are different from those provided by the act of 1825, ch. 203, and said provisions are not complied with. *Korns v. Shaffer*, 27 Md. 90; *White v. Malcolm*, 15 Md. 541.

This section applied. *Chilton v. Brooks*, 71 Md. 452; *Dircks v. Logsdon*, 59 Md. 179.

This section referred to as showing that mortgagees are given exceptional privileges. *Chilton v. Brooks*, 69 Md. 587.

1904, art. 66, sec. 15. 1888, art. 66, sec. 15. 1860, art. 64, sec. 14.  
1825, ch. 203, sec. 10.

15. All mortgage sales shall be made in the county or city where the mortgaged premises are situated; and where the mortgaged premises described in any mortgage are situated in more than one county, the sale may be made in either of the counties in which the lands are situated.

This section is mandatory, and if the sale is not made in the county where the property lies, it will be set aside. *Webb v. Haeffer*, 53 Md. 190.

This section applies to technical mortgages; an instrument held not to be a technical mortgage, and hence the application of this section, denied. *Harrison v. Annapolis, etc., R. R. Co.*, 50 Md. 515. And see *Bank of Commerce v. Lanahan*, 45 Md. 409.

Where a mortgage when executed covers property in Baltimore county, and subsequently the annexation act changes the geographical location of the property to Baltimore city, the sale thereafter should take place in the city. *Chilton v. Brooks*, 71 Md. 452.

This section applies only to sales under the act of 1825, ch. 203. *White v. Malcolm*, 15 Md. 541 (decided in 1860).

This section referred to in construing section 8. *Roberts v. Loyola Bldg. Assn.*, 74 Md. 5.

Ibid. sec. 16, 1888, art. 66, sec. 16. 1860, art. 64, sec. 15.  
1826, ch. 192, sec. 8. 1836, ch. 249, sec. 16.

16. No injunction shall be granted to stay any sale or any proceedings after any sale of mortgaged premises under this article, unless the party praying such injunction shall be also a party to the deed of mortgage in virtue of which the property sold or offered for sale shall have been mortgaged, or shall claim under such party a right to or interest in such mortgaged premises, derived and accruing after the time of recording such mortgage, nor unless such party shall on oath allege that the mortgage debt and all interest due thereon has been fully paid, or that some part of such debt or interest, the amount of which he shall state, has been paid, and that the mortgagee or person acting under him refuses to give credit for such amount, or that some fraud which shall be particularly stated in the bill or petition for injunction was used by such mortgagee, or with his knowledge, in obtaining the mortgage.

There must be an allegation that both interest and principal have been paid. The fraud must be particularly stated. This section held applicable, and not to have been complied with. *Thrift v. Bannon*, 111 Md. 307.