

1910, ch. 216, sec. 31 (p. 203).

**32.** In all deeds or other instruments of writing retaining a lien or charge upon the estate or property thereby conveyed, as provided in the preceding section of this article, there may be inserted a clause authorizing the vendor, his personal representatives or assigns, or any other person to be named therein, to sell the property or estate upon such terms and on such contingencies as may be expressed therein; and where interests in any lien so retained are held under one or more assignments or otherwise, the power of sale shall be held divisible, and he or they holding any such interest who shall first institute proceedings to execute such power shall thereby acquire the exclusive right to sell such property or estate.

See sec. 6, *et seq.*, and notes.

1910, ch. 216, sec. 32 (p. 204).

**33.** All sales made in pursuance of such authority shall be made, reported and confirmed, and the purchase money distributed in the same manner and subject to and in accordance with all the provisions and conditions contained in this article relating to sales of mortgaged property; and all such sales, when confirmed by the court and the purchase money paid, shall pass to the purchaser or purchasers, thereat all the title which the vendor or vendors in said deed or instrument of writing had in the property therein described at the time of the recording thereof, and all the title the vendor or vendors acquired thereby, and a decree in *personam* against the vendee may be entered for the amount of any unsatisfied portion of the purchase money in the same manner as provided for the entry of such decrees against the mortgagee in cases of mortgage sales.

See sec. 24.

1910, ch. 216, sec. 33 (p. 204).

**34.** It may be provided in such deed or instrument of writing retaining a lien as aforesaid that in cases of sales of property under the preceding sections any notes or other instruments of indebtedness mentioned in such deed or other instrument under which the property therein mentioned was sold shall be paid and satisfied in full in the order of their maturity; provided, however, that if any of such notes or instruments of indebtedness shall have been paid or satisfied, no further proceedings shall be had in reference thereto or the satisfaction thereof, but the funds arising from such sales shall be distributed as if said notes already paid or satisfied had never been given.

1910, ch. 216, sec. 34 (p. 204).

**35.** If such lien be duly released of record after the date of the maturity of the notes, other instruments, or debt therein mentioned, such notes, other instruments or debts shall be conclusively presumed