

An. Code, sec. 189. 1904, sec. 185. 1896, ch. 120, sec. 146C. 1896, ch. 140. 1898, ch. 275. 1904, ch. 405.

**200.** All covenants contained in any mortgage executed after the thirtieth day of March, in the year 1896 and recorded in any one or more of the counties specially enumerated in section 198, for the payment by the mortgagor of any or all taxes, assessments, public dues or charges, levied or to be levied by law on the mortgage debt created or secured by such mortgage, or on the interest covenanted to be paid, are hereby declared null and void; but whenever any mortgage executed prior to said date contains any such covenant the said mortgage shall be exempt from the provisions of said section 198.

This section referred to in construing secs. 198 and 225—see notes to sec. 225. *Musgrove v. B. & O. R. R. Co.*, 111 Md. 634.

See notes to sec. 198.

See art. 66, sec. 5.

An. Code, sec. 190. 1904, sec. 186. 1896, ch. 120, sec. 146D. 1896, ch. 140, sec. 200. 1898, ch. 275, sec. 146D. 1898, ch. 501, sec. 146D. 1900, ch. 81. 1900, ch. 656. 1902, ch. 26, sec. 146D. 1902, ch. 102. 1904, ch. 78. 1904, ch. 405.

**201.** Any person or corporation lending money on mortgage upon property in any one or more of the counties specially enumerated in section 198, their agent or attorney, in addition to the usual oath or affirmation as to the *bona fides* of the consideration, shall take an oath or make an affirmation, to be endorsed upon the mortgage, and to follow immediately after the said oath or affirmation, as follows: "And did also make oath in due form of law (or did solemnly and truly declare and affirm) that the mortgagee has not required the mortgagor, his agent or attorney, or any person for the said mortgagor, to pay the tax levied upon the interest covenanted to be paid, in advance, nor will he require any tax levied thereon to be paid by the mortgagor, or any person for him, during the existence of this mortgage;" and upon the assignment of any mortgage upon property in any one or more of said counties, which mortgage was executed after the thirtieth day of March, in the year 1896, except for the purpose of foreclosure, the assignee, his agent or attorney shall take the oath or make the affirmation prescribed in this section; and when said oath or affirmation is made by an agent or attorney, he shall, in addition thereto, make oath or affirmation that he is the agent or attorney of the assignee, which oaths or affirmations shall be recorded with the assignment. No mortgage or assignment of mortgage shall be valid except as between the parties thereto, unless the said oaths or affirmations shall be endorsed thereon; provided, that nothing in this section shall apply to mortgages executed and recorded in any one or more of said counties prior to the fifteenth day of March, in the year 1902.

Where no interest is provided for in mortgage (transaction being a *bona fide* one), this section is not applicable. *Salabes v. Castelberg*, 98 Md. 654.

This section referred to in construing secs. 198 and 225—see notes to sec. 225. *Musgrove v. B. & O. R. R. Co.*, 111 Md. 634.

See notes to sec. 198.

See art. 21, secs. 33, 34 and 36.