

ARTICLE 66.

MORTGAGES.

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| <ol style="list-style-type: none"> 1. Deed absolute on its face to be considered a mortgage, if there be a defeasance in writing; defeasance must be recorded; effect of failure to record it. 2. Sums to appear on face of mortgage; mortgages to secure future advances to indemnify security, and from brewers to malsters; not to apply to deeds of trust in nature of mortgage. 3. In Baltimore and Prince George's Counties. 4. When preferred to previous judgments or decrees; proviso. 5. Covenant to pay taxes. 6. Powers of sale; sale under. 7. Limitation on powers to foreclose. 8. Bond. 9. Publication of notice. 10. Report to court; powers of court. 11. Resale. 12. If confirmed, title to pass. 13. Distribution by court of surplus proceeds. 14. Conveyances to purchaser; trustee to convey; bond. 15. Premises may be bought in by mortgagee. 16. Where sales to be made. 17. Injunction to stay proceedings. 18. Motion to dissolve injunction. 19. Bond. 20. Purchaser may have writ of possession. 21. Purchaser and tenants. 22. Death of mortgagee. | <ol style="list-style-type: none"> 23. Release by executor, administrator or assignee. 24. Certain mortgage sales made valid. 25. When court may enter decree in <i>personam</i> for deficiency on mortgage sale; proviso. 26. Presumption of ownership and of payment, in cases of promissory notes and other instruments and debts secured by mortgage. 27. Annual crops of debtor not to pass with mortgage. 28. Agreement for rental of said crops; appointment of appraisers by court. 29. Right to distrain for rental; provisos. 30. Defective mortgages and assignments of mortgages prior to March 15, 1904, made valid. 31. Assignment of mortgages defectively sealed or sworn to; provisos. <p style="text-align: center;">Vendor's Lien.</p> <ol style="list-style-type: none"> 32. Vendor's lien abolished save as far as it be expressed upon face of deed, etc.; provisos. 33. Power of sale may be inserted; divisible. 34. Sales in pursuance of such power; personal decree. 35. May provide for payment of notes, etc.; proviso. 36. Presumption as to matured notes when lien released of record. 37. Assignment or release of lien. 38. Collateral security not waiver of lien. 39. Index to vendors' liens. |
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An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1825, ch. 203, sec. 2.

1. Every deed conveying real estate or chattels, which by any other instrument or writing shall appear to have been intended only as a security in the nature of a mortgage, though it be an absolute conveyance in terms, shall be considered as a mortgage, and the person for whose benefit such deed shall be made shall not have any benefit or advantage from the

As to execution, acknowledgment, recording, assignment, release, etc., of mortgages, see art. 21, sec. 32, *et seq.*

As to recording of a mortgage not recorded in time as provided by law, see art. 16, sec. 36.

Re. sale of rent in arrears along with property subject to such rent, see art. 16, sec. 245.