

MORTGAGES.

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| <p>42 What considered a mortgage, separate instruments to be also recorded.</p> <p>43 No mortgage, etc., a lien unless the principal sum shall appear on its face, and be recited therein, future advances not a lien except from the time they are actually made, amounts and times to be stated, exceptions</p> <p>44 Mortgages in Anne Arundel, Baltimore, St. Mary's, and Prince George's counties, not to be a lien for more than the amount secured thereby at the time of executing, exception</p> <p>45 For purchase-money preferred to previous judgment</p> <p>46 Covenants for payment of taxes, etc</p> <p>47 Power of sale in mortgages.</p> <p>48 Bond by person making sale</p> <p>49 Notice</p> <p>50 Report of sale</p> <p>51 Re-sale, trustee</p> <p>52 Title of mortgagor to pass by such sale when confirmed, etc</p> <p>53 Surplus distributed by court.</p> | <p>54 When vendor and purchaser the same, trustee to be appointed to execute deed, bond</p> <p>55 In purchase by mortgagee, his title not to be impeached by reason thereof</p> <p>56 Where mortgage sale to be made</p> <p>57 Where injunction to stay sale may be granted, fraud</p> <p>58 Hearing of motion to decide injunction, penalty</p> <p>59 Bond to be taken before injunction granted.</p> <p>60 Writ of possession by purchaser</p> <p>61 Rights of purchasers and tenants of mortgagor, leases subsequent to mortgage invalid as against purchaser</p> <p>62 Interest of mortgagee vested in his personal representatives</p> <p>63 Release by personal representative</p> <p>64 Heirs of mortgagees not necessary parties to foreclose or sell mortgaged property.</p> <p>65 When and how sale of mortgaged property may be decreed, when court may enter decree <i>in personam</i> for residue of mortgage debt</p> |
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SALES.

1. Where any person dies, leaving any real estate in possession, remainder or reversion, and not leaving personal estate sufficient to pay his debts and costs of administration on any suit already, or which may be hereafter instituted by any of his creditors, the court may decree that all the real estate of such person, or so much thereof as may be necessary, shall be sold to pay his debts; this to apply to all cases where the heirs or devisees are residents or non-residents, or are of full age, or infants, or of sound mind, or *non compos mentis*, and to cases where the parties left no heirs, or where it is not known whether he left heirs or devisees; or if the heirs or devisees be unknown, and if there be no heirs, the State's attorney shall appear to the bill.

1864, c 360
 Sale of decedent's real estate for debts
 13 Md 1, 22 Md 391, 25 Md 395, 26 Md 208, 27 Md 621, 547, 29 Md 2, 30 Md 82, 522, 34 Md 308, 38 Md 345, 39 Md 232, 2 H & G 94, 6 G & J 424, 10 G & J 65
2. The court may decree a sale of vessels, or other personal property held by two or more persons jointly

Art 16, s 127
 1834, c 303
 Sale of vessels or personal property held jointly
3. Where there is a decree for the sale of any reversion in lands to which rent is incident, the court may order any rent in arrear to be sold with such estate, and the purchaser shall have the same right to recover such rent by distress, entry or action, as if he had been owner of the estate when the rent accrued.

Id s 128
 1847, c 150
 Rent incident to reversion may be sold with estate
4. In all cases where a suit is instituted for the sale of real or personal property, or where from the nature of the case a sale is the proper mode of relief, the court, in its discretion, may order a sale of the property before final decree, if satisfied clearly by proof that, at the final hearing of the case, a sale will be ordered, and order the money arising from such sale to be deposited or invested, to be disposed of as the court shall direct by the final decree.

Id s 129
 1835, c 380, s 1
 When property may be sold before a final decree
 30 Md 489, 522, 37 Md 64, 89.