

Id s 3
1825, c 203, s. 6
For purchase-
money pre-
ferred to previ-
ous judgment
33 Md 270,
39 Md 409

45. Whenever lands are sold and conveyed, and a mortgage is given by the purchaser at the same time to secure the payment of the purchase-money, such mortgage shall be preferred to any previous judgment which may have been obtained against such purchaser.

Id s 4
1847, c 255
Covenants for
payment of
taxes
38 Md. 76,
39 Md 299

46. The mortgagor in any deed of mortgage, in addition to the usual covenants, may covenant for the payment of all taxes, assessments, public dues, or charges, levied or to be levied by law on the mortgage debt created or secured by such mortgage.

1878, c 488
Power of sale
in mortgages
23 Md 66, 28
Md 276, 30 Md
567, 31 Md 477,
34 Md 52, 165,
35 Md 220, 351,
37 Md 26, 44
Md 512, 45 Md
396.

47. In all mortgages there may be inserted a clause authorizing the mortgagee, or any other person to be named therein, to sell the mortgaged premises, whether lands or goods and chattels, upon such terms and on such contingencies as may be expressed therein; and where the interests in any mortgage are held under one or more assignments, or otherwise, the power of sale therein contained 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 the mortgaged premises; and any sale heretofore made and set aside upon the ground that said power is indivisible, may, by the court that set aside such sale, be reviewed on the petition of the person who made the same, or any other persons interested therein; and said court may annul its former decree or order, and thereupon the same proceedings shall be had, and the said court shall have the same full power as if such sale had not been set aside; and the said court may confirm such sale or set it aside for any other sufficient reason than that the aforesaid power is indivisible, provided there has been no change of title or interest in the mortgaged premises since such sale.

Art 64, s 6.
1826, c 192, s 2
Bond by person
making sale
10 Md 163, 15
Md 529, 548, 18
Md 505, 23 Md
66, 33 Md 121,
34 Md 52, 36
Md 29, 38 Md
1, 76, 65, 130, 211,
44 Md 512, 7 G
& J 114.

48. Before any person so authorized shall make any such sale, he shall give bond to the State in such penalty and with such security as shall be approved by the judge or clerk of a court of equity of the city or county in which the mortgaged premises lie, or in case of goods and chattels, where the same may be, to abide by and fulfil any order or decree which shall be made by any court of equity in relation to the sale of such mortgaged property, or the proceeds thereof, and such bond shall be and remain as an indemnity to and for the security of all persons interested in such mortgaged property, or the proceeds thereof, and be subject to be sued as other bonds taken in the name of the State, and subject to the same limitations and disabilities as such other bonds

Id s 7
1825, c 203, s. 4,
1826, c 192, s 1
Notice
9 Md 356, 15
Md 529, 35 Md
220, 44 Md 512,
45 Md 396.

49. In all sales made in pursuance of such authority there shall be given such notice as may be stated in such mortgage, or if there be no agreement as to notice, then the party offering the same for sale shall give twenty days' notice of the time, place, and terms thereof, by advertisement in some newspaper printed in the county where the mortgaged premises lie, if there be one so published, and if not, in a newspaper having a large circulation in said county,