

ARTICLE LXVI.

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 in face of mortgage, mortgages to secure future advances, mortgages to indemnify security, and from brewers to maltsters 3. In Baltimore and Prince George's counties. 4. Mortgage to secure purchase-money. 5. Covenant to pay taxes. 6 Powers of sale; sale under. 7. Bond. 8. Publication of notice. 9. Report to court, powers of court. 10. Resale. | <ol style="list-style-type: none"> 11 If confirmed, pass title. 12 Distribution by court of surplus proceeds. 13 Conveyance to purchaser; trustee to convey, bond. 14 Premises may be bought in by mortgagee. 15. Where sales to be made. 16 Injunction to stay proceedings.. 17. Motion to dissolve injunction. 18 Bond. 19. Purchaser may have writ of possession. 20 Purchaser and tenants. 21. Death of mortgagee. 22 Release by executor, administrator or assignee. |
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P. G. L., (1860,) art. 64, 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 recording thereof, unless every instrument and writing operating as a defeasance of the same, or explanatory of its being designed to have the effect only of a mortgage or conditional deed, be also therewith recorded.

Brogden v. Walker, 2 H. & J. 285. *Bend v. Susq B. Co*, 6 H. & J. 128. *Watkins v. Stockett*, 6 H. & J. 435. *Hicks v. Hieks*, 5 G & J. 75. *Dougherty v. McColgan*, 6 G. & J. 275. *Pocock v. Hendricks*, 8 G & J. 421. *Henderson v. Mayhew*, 2 Gill, 393. *Chase's Case*, 1 Bl. 206. *Bank of Westminster v.*