

P. G. L., (1860,) art. 64, sec. 3. 1825, ch. 203, sec. 9.

**4.** 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.

*Heuisler v. Nickum*, 38 Md. 270. *Ahern v. White*, 39 Md. 409. *Glenn v. Clark*, 53 Md. 608.

*Ibid.* sec. 4. 1847, ch. 255.

**5.** 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.

*Warfield v. Dorsey*, 39 Md. 299. *Appeal Tax Court v. Rice*, 50 Md. 318. *Appeal Tax Court v. Gill*, 50 Md. 384.

*Ibid.* sec. 5. 1785, ch. 72. 1825, ch. 203, sec. 5. 1833, ch. 181, sec. 2. 1836, ch. 249, sec. 1. 1878, ch. 493.

**6.** 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 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 person 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.

*Salmon v. Claggett*, 5 G. & J. 314. *Ibid.*, 1 Bl. 125. *Ross v. Bevans*, 10 Md. 466. *Triebert v. Burgess*, 11 Md. 463. *Parson v. Hughes*, 12 Md. 1. *State v.*