

ARTICLE LXXV.

PLEADINGS, PRACTICE AND PROCESS AT LAW.

Ejectment.

69 A Mortgagor may maintain ejectment except as against mortgagee.

Possession—Writs of.

88. Writs of *habere facias possessionem* how obtained, penalty for re-entry by evicted parties.

Special Findings of Facts.

115 A Repealed.

Ejectment.

1900, ch. 559.

69A. An outstanding mortgage shall not prevent the real owner as mortgagor of said property from maintaining an action of ejectment against any person or persons other than the mortgagee, or his, her or their assigns.

Possession—Writs of.

1900, ch. 310.

88. Whenever any lands or tenements shall be sold by any sheriff, constable, coroner, or elisor, by virtue of any process or execution from any court or justice of the peace of this State, or by any trustee under the decree of any court of this State, by any trustee by appointment of an insolvent court, by any trustee under any voluntary deed of trust, by any mortgagee under any power in any mortgage, by any executor or executors or any other person under any power in a will, and the debtor named in such execution or decree, his widows or heirs who are parties to the proceedings in which such execution was issued or such decree passed, the insolvent grantor or mortgagor in said deed of trust or mortgage, or any person holding under said debtor insolvent, grantor or mortgagor by title subsequent to the date of the judgment, decree, insolvent proceedings, deed of trust or mortgage respectively, or any person claiming under the deviser of said will, shall be in actual possession of the lands and tenements sold, and shall fail or refuse to deliver possession of the same to the purchaser thereof, excepting, however, cases of tenancies created in the