

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, and also by advertisement set up at the court-house door of said county.

The notice to be set up at courthouse door is only necessary if there is no newspaper published in county. Where mortgage required that property should be advertised in accordance with this section, and subsequent to mortgage but before sale annexation act changed geographical location of mortgaged property from Baltimore county to Baltimore city, the advertisement was properly inserted in a Baltimore city paper. *Roberts v. Loyola Bldg. Assn.*, 74 Md. 3. *Cf. Chilton v. Brooks*, 71 Md. 452.

This section does not contemplate a daily notice for twenty days. What notice is sufficient? Description of property in advertisement, held sufficient. *White v. Malcolm*, 15 Md. 541.

Where the mortgage calls for a notice which it is impossible to give, twenty days' notice is required under this section. *Warehime v. Carroll County Bldg. Assn.*, 44 Md. 518.

This section referred to in construing local law applicable to Baltimore city relative to notice of sale. This section expressly authorizes parties to agree in mortgage, as to notice to be given. *Knapp v. Anderson*, 89 Md. 191.

This section referred to in determining that Sundays are included in computation of time. *American Tobacco Co. v. Strickling*, 88 Md. 510.

This section held to have no application, deed not being construed to be a mortgage. *Bank of Commerce v. Lanahan*, 45 Md. 406.

The act of 1826, ch. 192, was not repealed by the adoption of the Constitution of 1851. *Eichelberger v. Hardesty*, 15 Md. 548.

This section referred to in construing sec. 7—see notes thereto. *Hebb v. Mason*, 143 Md. 354.

Cited but not construed in *Dill v. Satterfield*, 34 Md. 53.

An. Code, sec. 9. 1904, sec. 9. 1888, sec. 9. 1825, ch. 203, sec. 5. 1826, ch. 192, sec. 3. 1833, ch. 181, sec. 4.

9. All such sales shall be reported under oath to the court having chancery jurisdiction where the sale is made, and there shall be the same proceedings on such report as if the same were made by a trustee under a decree of said court, and the court shall have full power to hear and determine any objections which may be filed against such sale by any person interested in the property and may confirm or set aside said sale.

#### Exceptions.

Upon report of sale an opportunity is afforded any one interested, to object. Such objections are not limited to matters of irregularity in conduct of the sale, but extend to questions concerning validity of mortgage. *Albert v. Hamilton*, 76 Md. 307. And see *McCabe v. Ward*, 18 Md. 509. *Cf. Patapsco Guano Co. v. Elder*, 53 Md. 464.

Where a party interested in mortgaged property tenders mortgagee full amount due for purpose of redeeming mortgage as he has a right to do, the mortgagee has no right thereafter to foreclose mortgage, and party making tender may except to mortgage sale. *Kent Bldg. Co. v. Middleton*, 112 Md. 17.

Exceptions cannot be filed under this section by one who has no legal interest in, or record title to, property, but alleges a secret trust, person whom the trust is sought to be enforced against, not being a party to proceedings. *Bentley v. Beacham*, 91 Md. 678.

A person whose interest is not affected by the sale cannot intervene. *Warfield v. Ross*, 38 Md. 90.

Exceptions may be filed at any time before the ratification of the sale. *Aukam v. Zantinger*, 94 Md. 426.