

when insolvent or in contemplation of insolvency, the same shall be *prima facie* intended to hinder, delay and defraud the creditors of the person by whom the same is made, and the burthen of proof shall rest upon him and the grantee to explain the same and show the *bona fides* thereof; provided, the creditors of the grantor in such deeds, conveyances or assignments shall avail themselves of the provisions of this article.

1880, ch. 172, sec. 26. 1888, ch. 275.

25. If any real or personal property of an insolvent shall have been decreed to be sold by virtue of any decree of any court of equity for the enforcement of a mortgage, or if there be a power of sale contained in any mortgage or bill of sale of real or personal property, as the case may be, the filing of the petition in insolvency, either by or against the insolvent, as hereinbefore provided, and the subsequent proceedings in insolvency on such petition shall not disturb, defeat or impair the right of the trustee named in the decree, or the mortgagee, or bargainee, or his assignee, or person authorized in the mortgage or bill of sale to make sale, to proceed with such sale, or to execute the power of sale contained in said decree, mortgage or bill of sale, unless the right or power shall be waived, in writing, by the mortgagee, or his proper representatives, and in all such cases, in the absence of waiver of right by the mortgagee or his proper representatives as hereinbefore provided, the trustee in insolvency shall only be authorized to sell the equity of redemption of the insolvent in all such property covered by decree, mortgage or bill of sale as aforesaid.

Alexander *v.* Ghiselin, 5 Gill, 180. Carter *v.* Dennison, 7 Gill, 170. Gray *v.* Lynch, 8 Gill, 426. Powles *v.* Dilley, 9 Gill, 240. Pierson *v.* Trail, 1 Md 143. Glenn *v.* Gill, 2 Md 18. Evans *v.* Sprigg, 2 Md. 457. Wiles *v.* Wiles, 3 Md. 10. Manahan *v.* Sammon, 3 Md 463. Poe *v.* Duck, 5 Md 1. Eschbach *v.* Pitts, 6 Md 75. Jamson *v.* Chestnut, 8 Md 34. Purviance *v.* Glenn, 8 Md. 206. Zeigler *v.* King, 9 Md. 335. White *v.* Malcolm, 15 Md 529. Waters' Lessee *v.* Riggan, 19 Md. 516. Berry *v.* Skinner, 30 Md. 567. Dill *v.* Satterfield, 34 Md. 52. Harnickell *v.* Orndorff, 35 Md. 341. Brown *v.* Hazlehurst, 54 Md 26. Mackubbin *v.* Boarman, 54 Md. 384. Ensor *v.* Lewis, 54 Md. 397. Abell *v.* Brown, 55 Md 217. Gable *v.* Scott, 56 Md. 181. McHenry *v.* McVeigh, 56 Md. 578. Ensor *v.* Keech, 64 Md. 378.