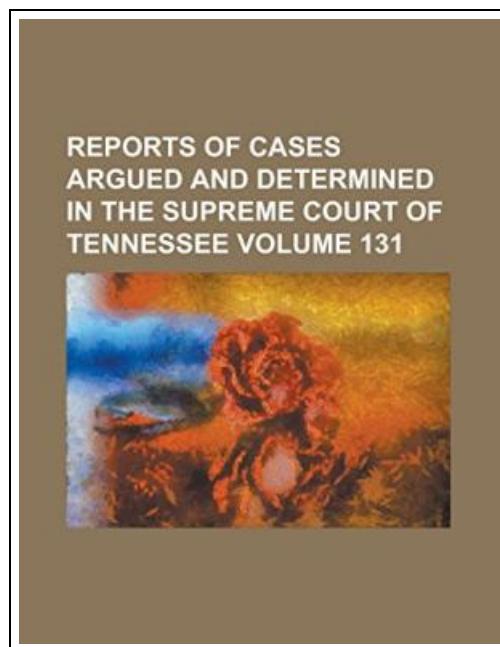


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RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 206 pages. Dimensions: 9.7in. x 7.4in. x 0.4in. This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1915 edition. Excerpt: ... levied on the land and prevail upon the lien thereof over the vendor. Sharp v. Fly, 9 Baxt (68 Tenn.), 4; Gann v. Chester, 5 Yerg. (13 Tenn.), 205; Roberts v. Rose, 2 Humph. (21 Tenn.), 145. Mr. Pomeroy gives his approval to this doctrine and cites our cases in support of his text: Whether the grantors lien is or is not superior to that of subsequent judgments recovered against the grantee is a question upon which the American decisions are in conflict; nor is it possible by any interpretation to reconcile their opposing views. On principle, however (and especially when considered in connection with the universal system of registry), it seems to me clear that subsequent judgment liens are entitled to precedence. 3 Pom. Eq. Juris. section 1253. In accord are Hulett v. Whipple, 58 Barb. (N. Y.), 224; Spring v. Short, 50 N. Y. , 538; Cutler v. Ammon, 65 Iowa, 281, 21 N. W. , 604; and other cases. The vendor, until he begins suit, is, for all purposes of priority, in like plight with a general unsecured creditor. It therefore seems clear that, when Hood procured a deed of reconveyance from Parks, he did so standing on a plane no higher than such a creditor, and not as one having the status of a lienor with a fixed or existent lien. When he received the deed, he was compelled by the registration laws to record it...

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