

To be recorded.
Clerks fee.

Copy made evidence.

Such sale as to real estate, of no effect until confirmation by the county court.

Court directed to examine into.

May annul the sale.

Reserving plaintiff's right.

May confirm the sale

Deed of the constable or sheriff for property so sold, confirmed.

Proviso.

Provisions of the act of

ording said clerk shall be paid at, and after the rates, and in manner, as he is now entitled to be paid for recording sales as aforesaid, and a copy of such record, certified by the said clerk under the seal of said court, shall be evidence of the matters therein set forth, in all courts of law or equity in this state.

SEC. 3. *And be it enacted*, That said sale, as to any land, tenements, or real estate, or interest, or estate, in, of, relating to, or growing out of, any lands, tenements, or real estate, shall have no effect to pass or give any right or title, or interest, whatsoever, to the purchaser or purchasers, until such sale, after the delivery of the proceedings aforesaid to the clerk aforesaid, shall, by the county court aforesaid, have been, on motion and notice given, as said court shall, as to mode and parties, direct, be finally ratified and confirmed; and the said county court, under said notice, shall be authorized to examine into any allegations of fraud, or surprise; as to the obtaining or rendering the judgment, under which such sale shall have been made; and if said court shall deem the judgment aforesaid to have been obtained or had by fraud or surprise, it shall vacate and annul the same, and the sale aforesaid, without prejudice to the right of further proceeding on the original cause of action; and if said court shall deem said sale to have been made unfairly, without due notice, or under any circumstances tending to prevent the estate sold from bringing a fair or full value, the said court shall vacate and set aside the said sale, saving, however, to the party entitled to the benefit of the judgment, to have further execution of said judgment, issued by any justice of the peace of said county, on a certified copy, under seal of said county court, of the said judgment; and if the said court shall ratify and confirm the said sale, said ratification and confirmation shall be deemed and taken as conclusive evidence of the sufficiency and regularity of the notice required as aforesaid, and manner of making such sale.

SEC. 4. *And be it enacted*, That any deed or deeds of bargain and sale, duly executed and acknowledged by any constable or sheriff, for any lands and tenements or real estate or interest or estate, in, of, relating to, or growing out of, any lands, tenements or real estate, sold by virtue of any fieri facias or venditioni exponas or any judgment of a justice of the peace, shall be good and effectual, to transfer and convey to any purchaser or purchasers, his or their heirs, executors or administrators or assigns, any right or estate, to or in the premises, which by such grantees may be legally acquired under and by virtue of any such sale; *Provided*, such sale be ratified and confirmed as aforesaid.

SEC. 5. *And be it enacted*, That the act passed at December session, in the year eighteen hundred and twenty-five, chapter