

any time after filing the same to be recorded, to submit to the chancellor, or to Baltimore county court or any judge thereof, the said conveyances or copies under seal of said county court thereof, and the said chancellor or court or judge aforesaid, may thereupon forthwith decree, that the mortgaged premises shall be sold at any one of the periods limited in said conveyances for the forfeiture of said mortgages, or limited for a default of the mortgagors, and on such terms of sale as to the chancellor, court or judge shall seem proper; and shall appoint by said decree a trustee or trustees for making such sale, with requisition of bond and surety for performance of the trust as is now usual in cases of sales of mortgaged property.

**SEC. 3.** *And be it enacted,* That the said trustee or trustees, after giving bond with surety as aforesaid, may after the arrival of the period limited by the said decree for the said sale, sell agreeably to the terms of said decree, the said mortgaged property or any part thereof the mortgagees, their executors or administrators, (or their assigns if the mortgage claim shall have been assigned) before such sale, and after the arrival of the period aforesaid, verifying by their oath before the chancellor or a judge aforesaid, a statement of the amount of said mortgage claim remaining due, and filing such statement in the court of chancery or the Baltimore county court, as the case may be, and such sales and the conveyances thereupon shall have the same effect, if finally ratified by the court of chancery or the Baltimore county court, as the case may be, as if the same had been made under decrees between the proper parties in relation to the mortgages, and in the usual course of the said courts.

**SEC. 4.** *And be it enacted,* That said trustee or trustees shall report the said sales to the court of chancery or the Baltimore county court, as the case may be, for its consideration and ratification or rejection, and that orders shall pass therein touching such ratification as is now practised on sales of mortgaged property in said courts; it being, however, hereby provided, that as cause against such ratification any allegations may be made and proof under the orders of the said courts exhibited, and a trial of the allegations had as such courts shall prescribe, to shew that the sales aforesaid ought not to have been made; upon being satisfied of the truth of which allegations the said courts respectively shall reject and set aside the said sale, and in such case no part of the costs or expenses or trustees' commission, if any such commission be claimable, in relation to the said sales shall be chargeable upon said property or the mortgagors, their heirs, executors, administrators or assigns; but wholly chargeable against the persons at whose instance or for whose benefit the said sales shall have been proposed to be made.