

upon 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 said court shall seem proper; and shall appoint by said decree, a trustee or trustees for making such sale, and shall require bond and security for the performance of the trust, as is usual in cases of sales of mortgaged premises.

783. The trustee or trustees so appointed, after giving bond with security, may, after the arrival of the period limited by the decree for a sale, sell, agreeably to the terms of said decree, the mortgaged property, or any part thereof; the mortgagees, their executors or administrators, or assigns, if the mortgaged claim shall have been assigned before such sale, and after the arrival of the period aforesaid, verifying by their oath before the judge of said court, a statement of the amount of said mortgage claim remaining due, and filing such statement in said court.

784. Such sales and the conveyances thereupon shall have the same effect, if finally ratified by said court, as if the same had been made under decrees between the proper parties in relation to the mortgages, and in the usual course of said court.

785. The trustee or trustees shall report the sales to the court for its consideration and ratification, or rejection, and such orders shall pass therein touching such ratification, as are usual on sales of mortgaged property in said court.

786. Any allegations may be made, and proof under the orders of the said court exhibited, and a trial of the allegations had as the court shall prescribe, to show that the sales ought not to have been made.

787. The said court, upon being satisfied of the truth of said allegations, shall reject and set aside the sale, and in such case no part of the costs or expenses or trustee's 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 shall be wholly chargeable against the persons at whose instance or for whose benefit the said sales shall have been proposed to be made.