

to be paid therefor, acknowledged and recorded as mortgages and deeds are to prevent frauds directed by law to be acknowledged and recorded, shall be good and valid, and shall stand and be a security, according to the purport and intent thereof, for a compliance on the part of the mortgagor, his heirs, executors and administrators, with the terms and conditions of such mortgages, and that although there should be no covenant or express agreement contained in such mortgage for the payment of such principal money and interest, the mortgagor, his heirs, executors and administrators, shall be bound to pay the principal money and interest, as if express covenants were contained in the deed of mortgage for that purpose.

3. AND BE IT ENACTED, That if the mortgagor, his heirs, executors or administrators, shall not pay the principal money and interest, agreeable to the purport and intent of any such mortgage, the court of chancery may and shall, as speedily as the case will permit, foreclose such mortgagor, his heirs, executors, administrators and assigns, of their equity of redemption in the mortgaged premises, and order and direct a sale thereof, or of such part as may be necessary to raise and satisfy all principal and interest due, with costs, and if any part of the mortgaged premises remains unsold, by order to reinstate the mortgagor, or person entitled under him, whose former legal estate shall be restored by virtue of such order and this act; but if sufficient cannot be raised by such sale, then the court of chancery may and shall decree the balance to be paid by such mortgagor, his heirs, executors or administrators, and by process compel a full compliance with such decree; and this legislature plight and engage the faith and honour of this state, that in no event (even in the case of war, if such should unhappily take place,) will the legislature interfere, or prevent in any degree this course of justice, on any foreign loan made on any such security, but the courts of justice shall remain open, and any foreigner receiving or recovering his money, may freely carry the same out of this state.

Court of chancery may foreclose, &c.

## NOVEMBER SESSION, 1785.

### CHAP. LXXII.

*An Act for enlarging the power of the High Court of Chancery.*  
Lib. TBH. No. B. fol. 1.

Passed March 10, 1785.

Supplementary and other acts 1785, ch. 78, April 1787, ch. 30, 1789, ch. 46, 1790, ch. 38, 1790, ch. 60, 1791, ch. 79, 1792, ch. 41, 1792, ch. 76, 1793, ch. 75, 1794, ch. 60, 1795, ch. 88, 1797, ch. 51, ch. 114, 1798, ch. 84, 1799, ch. 79, 1800, ch. 67, 1804, ch. 64, ch. 107, 1806, ch. 55, 1807, ch. 140, May 1813, ch. 21, 1818, ch. 133, ch. 193, 1819, ch. 144, ch. 183.

BE IT ENACTED, by the General Assembly of Maryland, That In certain cases chancellor may order a sale, &c.  
where any person or persons under the age of twenty-one years, or being idiot, lunatic, or non compos mentis, are or shall be possessed of any lands, tenements, hereditaments or real estate whatsoever, which are, or shall be and stand, mortgaged for the payment of any sum or sums of money or tobacco, or for securing the payment of any debt whatsoever, and the day of payment in such mortgage is elapsed, it shall and may be lawful for the chan-