

mortgagees, "all the estate and property, real, personal and mixed, without reservation or exception, wheresoever situate or being, to which they or either of them were in any manner entitled, interested in, or could claim;" and the decree was for a sale of "the mortgaged property in said proceedings mentioned, or so much thereof," &c.

[As to this exception, the Chancellor said:]

In answer to the third exception to the ratification of the sale, it may be sufficient to say, that the decree authorizes a sale of the mortgaged property, without restriction or limitation, and it is believed, that if this court has erred, the only remedy is by appeal, or by some other proceeding by which such errors can be reviewed and corrected.

The propositions of law announced above, are maintained, it is thought, by the cases of *Campbell vs. McComb*, 4 *Johns. Ch. Rep.*, 534, and *Harris & Chauncey vs. Alcock*, 10 *G. & J.* 226.

By the former it was decided, that though the mortgagor, as owner of the equity of redemption, may, by paying the interest and costs due, stay the sale, the decree of foreclosure will remain as a further security to enforce the payment of the future interest and the installments of the principal, as they respectively become due. And by the latter, at page 252, the position that the court will always ratify and confirm that when done, which, as a matter of course, if previously applied to, it would have ordered to be done, is stated with a perspicuity and emphasis which is incapable of misconstruction.

No sufficient reason, then, appearing for vacating the sales, they will be confirmed; and the only question remaining to be disposed of, arises upon the petition of the complainants, that the trustee may be authorized to receive the rents and interests which accrued on the mortgaged property prior to the sales.

It appears by a statement of the claim of the complainants, filed in conformity with the act of 1833, ch. 181, that the installments of the mortgage debt due and to become due, amount to \$10,002, and as the gross proceeds of the sales are only \$6,149 78, the deficiency is large; and the mortgagees are threatened