

before any Justice of the Peace of this State, the official character of any Justice of the Peace for any county being certified under his official seal by the Clerk of the Circuit Court for the county where the affidavit is made, where the affidavit is made outside of the City of Baltimore, or before any person outside of this State authorized to take acknowledgments of deeds; and such statement shall be filed in said court.

Hays v. Dorsey, 5 Md. 99. Ziegler v. King, 9 Md. 330. White v. Malcolm, 15 Md. 529. Brooks v. Hayes, 24 Md. 507. Md. Perm. Bldg. Society v. Smith, 41 Md. 516. Hughes v. Riggs, 84 Md. 505. McCauseland v. Humane, &c., Society, 95 Md. 744. Buckner v. Cronhardt, 132 Md. 612. Owens v. Graetzel, 146 Md. 361. Kushnick v. Bldg. & Loan Ass'n, 153 Md. 685.

P. L. L. (1860), Art. 4, sec. 784. P. L. L. (1888), Art. 4, sec. 694.

722. 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.

Gatchell v. Presstman, 5 Md. 161. McDowell v. Goldsmith, 6 Md. 319. Monumental Bldg. Ass'n No. 2 v. Herman, 33 Md. 128. Morrill v. Gelston's Lessee, 34 Md. 413. Carroll v. Kerschner, 47 Md. 262. Rau v. Robertson, 58 Md. 506. White v. McClellan, 62 Md. 347. Albert v. Hamilton, 76 Md. 304. Owens v. Graetzel, 146 Md. 361.

P. L. L. (1860), Art. 4, sec. 785. P. L. L. (1888), Art. 4, sec. 695.

723. 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.

Hardy v. Smith, 41 Md. 1. Haskie v. James, 75 Md. 568. Albert v. Hamilton, 76 Md. 309. Owens v. Graetzel, 146 Md. 361.

P. L. L. (1860), Art. 4, sec. 786. P. L. L. (1888), Art. 4, sec. 696.

724. 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.

Robertson v. Homestead Bldg. Ass'n, 10 Md. 407. Black v. Carroll, 24 Md. 251. Heusler v. Nickum, 38 Md. 273. Equitable M. L. I. Ass'n v. Becker, 45 Md. 632. Bernstein v. Hobelman, 70 Md. 29. Roberts v. Loyola P. B. A., 74 Md. 1. Haskie v. James, 75 Md. 568. Albert v. Hamilton, 76 Md. 304. Richardson v. Owens, 86 Md. 664. Owens v. Graetzel, 146 Md. 361.

The cases cited under section 724 mainly relate to proceedings instituted to set aside sales under this sub-division of this Article.

P. L. L. (1860), Art. 4, sec. 787. P. L. L. (1888), Art. 4, sec. 697.

725. 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.

Equitable Land Impmt. Ass'n v. Becker, 45 Md. 634. Owens v. Graetzel, 146 Md. 361.