MORTGAGES.

Chapter 124 adds the following, (I. Supplement 41·)

88. Where a default of the mortgagers has taken place before the said conveyances have been submitted to the Superior Court of Baltimore city or Circuit Court for Baltimore city, it shall nevertheless be the duty of either of said courts, upon the submission of the said conveyances to such court, after the said default, to forthwith decree that the mortgaged premises shall be sold, on such terms of sale as to the said court shall seem proper; and to appoint by said decree a trustee or trustees, to make such sale requiring bond and security for the performance of the trust, as is usual in the case of the sale of mortgaged premises; and the said trustee or trustees may sell the same agreeably to the terms of the said decree; but before each sale the mortgagee or mortgagees, or some of the mortgagees, or the executor or administrator of a deceased mortgagee, or the assignee or assignees of the mortgage, or one of such assignees, or the executor or administrator of a deceased assignee, shall file in the court in which the said proceedings are pending, a statement of the amount of the said mortgage claim remaining due, verifying the same by the oath or affirmation of the party filing the same; and the said affidavit or affirmation may be made before any of the persons mentioned in section seven hundred and eighty-three of this Article, or before any person named as proper to take a like affidavit by the act of eighteen hundred and sixty-one, chapter seventy-six, passed June twenty-second, eighteen hundred and sixty-one, and the same shall be authenticated as provided for in said last named act.

89. The provisions of sections seven hundred and eighty-four, seven hundred and eighty-five, seven hundred and eighty-six, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety and seven hundred and ninety-one, shall apply to all proceedings under this act.

In force from March 7, 1864.