

said lands so mortgaged of all such persons, whether in being or not.

### Specific Performance.

1888, art. 16, sec. 199. 1888, ch. 263.

**215.** No court shall refuse to specifically enforce a contract on the mere ground that the party seeking its enforcement has an adequate remedy in damages, unless the party resisting its specific enforcement shall show to the court's satisfaction that he has property from which such damages may be made, or shall give bond, with approved security, in a penalty to be fixed by the court, to perform the contract or pay all such costs and damages as may, in any court of competent jurisdiction, be adjudged against him for breach or non-performance of such contract.

*Brehm v. Sperry*, 92 Md. 408.

### Trustee.

*Ibid.* sec. 200. 1860, art. 16, sec. 135. 1785, ch. 72, sec. 7. 1816, ch. 154, sec. 3.

**216.** In all cases where a decree for a sale passes, the court may appoint a trustee to make such sale.

*Worthington v. Lee*, 61 Md. 530.

*Ibid.* sec. 201. 1860, art. 16, sec. 136. 1785, ch. 72, sec. 8. 1790, ch. 60.  
1816, ch. 154, sec. 3. 1842, ch. 70. 1845, ch. 166, sec. 1.

**217.** Every trustee appointed by decree to make a sale, before he sells, shall give bond to the State, in such penalty as the court or the judge thereof may prescribe, and with surety or sureties to be approved by the judge of the court or the clerk thereof, with condition that such trustee shall faithfully perform and execute the trust reposed in him, and such trustee shall report, under oath, any sale he may make, to the court, and also report his proceedings whenever he may be required by the court.

*Boteler v. Brookes*, 7 G. & J. 143. *Brooks v. Brooke*, 12 G. & J. 307. *Lee v. Admrs. of Boteler*, 12 G. & J. 326. *Ringgold's Case*, 1 Bl. 27. *Gibson's Case*, 1 Bl. 144. *Dawes v. Thomas*, 4 Gill, 333. *Perrin v. Keithley*, 9 Gill, 412. *Goldsborough v. Ringgold*, 1 Md. Ch. 239. *Harrison v. Harrison*, 1 Md. Ch. 331. *Folek v. Smith*, 13 Md. 85. *Bolgiano v. Cooke*, 19 Md. 377. *Cumberland C. & I. Co. v. Sherman*, 20 Md. 117.

*Ibid.* sec. 202. 1860, art. 16, sec. 137. 1785, ch. 72, sec. 9.

**218.** No sale made by a trustee appointed by the court shall be valid unless such sale is confirmed by the court; and the