

24. If upon the sale of the whole mortgaged property by virtue of a power of sale contained in the mortgage under the provisions of this article (sixty-six), the net proceeds thereof, after the costs and expenses allowed by the court are satisfied, shall not suffice to pay the mortgage debt and accrued interest, as the same shall be found and determined by the judgment of the court upon the report of the auditor thereof, the court may upon the motion of the plaintiff, the mortgagee or his legal or equitable assignee, after due notice by summons or otherwise, as the court may direct, enter a decree in *personam* against the mortgagor or other party to the suit or proceeding, who is liable for the payment thereof, for the amount of such deficiency; provided, the mortgagee or his legal or equitable assignee would be entitled to maintain an action at law upon the covenants contained in the mortgage for said residue of said mortgage debt so remaining unpaid and unsatisfied by the proceeds of such sale or sales; which decree shall have the same effect and be a lieu as in the case of a judgment at law, and may be enforced only in like manner by a writ of execution in the nature of a writ of *feri facias* by attachment or otherwise.

Court may enter decree for deficiency on mortgage sale.

Proviso.

Approved March 15th, 1892.

CHAPTER 112.

AN ACT to confirm ordinance No. 23, approved April 8th, 1891, of the ordinances of the Mayor and City Council of Baltimore, entitled, "An Ordinance to authorize the construction of city passenger railway tracks by the North Avenue Railway Company of Baltimore City, on North Avenue from McCulloh street to Guilford Avenue and thence on Guilford Avenue and North street to Lexington street, and thence on Lexington street to Charles street and on North street to the north side of Fayette street."

WHEREAS, by ordinance number twenty-three, approved April 8th, 1891, of the ordinances of the Mayor and City Council of Baltimore, entitled, An ordinance to authorize the construction of city passenger railway tracks by the "North Avenue Railway Company of Baltimore City on North Avenue from McCulloh street to Guilford Avenue and thence on Guilford Avenue and North street to Lexington street and thence on Lexington street to Charles street and on North street to the north side of Fayette street," the North Avenue Railway Company of Baltimore City was

Preamble.