

SEC. 2. *And be it further enacted*, That Section 24 of Article 66 of the Annotated Code of Maryland (1924 Edition), title "Mortgages", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

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, 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, provided said motion is made within three years after final ratification by the court of the auditor's report and account in regard to the mortgage sale filed therein following the mortgage sale, 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 lien 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 fieri facias or by attachment or otherwise.

SEC. 3. *And be it further enacted*, That this Act shall take effect June 1, 1939.

Approved May 3, 1939.

CHAPTER 508.

(House Bill 537)

AN ACT to authorize and empower the Board of Public Works and the Chairman of the State Roads Commission to convey to the Town of Kensington, Montgomery County, the triangular parcel of land at the intersection of Connecticut Avenue, Baltimore Street, and the right-of-way line of the highway approach to the grade elimination in Kensington.