

2. AND BE IT ENACTED, That from and after the end of the next session of the general assembly, and at any time within one year thereafter, it shall and may be lawful for the plaintiff or plaintiffs to sue out execution on judgments so as aforesaid confessed, or judgment so as aforesaid superseded, without suing out a *scire facias*, or being subject to further delay against the principal, his securities or either of them, any law to the contrary notwithstanding.

MAY Sess.  
1813.  
Judgments  
confessed.

3. AND BE IT ENACTED, That in any case in which a decree for foreclosure and sale of mortgaged property has been, or shall be obtained, in any court of equity or courts of law exercising equitable jurisdiction, within this state, no sale shall take place before the end of the next session of the general assembly of this state: *Provided*, That the mortgagor or mortgagers, or those claiming under him, her or them, if of full age, or such of them as are of full age, shall annually, if required, pay or give bond to the mortgagee or mortgagees, his, her or their executors, administrators and assigns, with a security or securities, to be approved of by the chancellor, one of the judges of the judicial district, or two justices of the peace of the county wherein the mortgaged premises may be, for one year's interest on the amount of the claim secured by such mortgage, which said interest shall, nevertheless, continue a lien upon said mortgaged property; and in case the said mortgaged property shall consist of personal goods and chattels, that a bond shall likewise be given, with security to be approved of as aforesaid, in the penal sum of twice the amount of the mortgaged debt, conditioned that such property shall not be wasted or concealed, but that the same shall be forthcoming upon any further order of said court.

Foreclosure &  
sale of mortgaged  
property.

4. AND BE IT ENACTED, That as often as any creditor, or the executors or administrators of any such creditor, shall conceive himself or herself in danger of suffering from the insufficiency of any security so as aforesaid to be taken by virtue of and under this act, he, she or they may apply to the judge or justices before whom the said confession was made, or in case of the death, removal, resignation or disqualification of such judge or justices, or either of the said justices, then to any other judge of the judicial district, or justices as aforesaid, and if it shall appear to the said judge or justices that the said application is well founded, he or they shall issue a summons, directed to the sheriff or constable of the county where the person or persons having confessed such judgment may reside, requiring

Insufficiency  
of security—  
creditors' remedy.