

which he shall be entitled to receive twelve and a half cents; which said penalty may be recovered by any person who shall sue for the same, by action of debt, or bill of indictment, in the county court of the county where the judge or justice shall reside. CHAP. 162:

2. *And be it enacted,* That from and after the expiration of the respective times assigned for the payment of the instalments so as aforesaid to be confessed, and at any time within one year thereafter, it shall and may be lawful for the plaintiff or plaintiffs, his or their agent or attorney, to sue out execution on judgment so as aforesaid confessed, or judgments so as aforesaid superseded, for such sum as shall be then due, without suing out a *scire facias*; or being subject to further delay against the body, or the goods or chattels, lands or tenements, of the principal, his securities, or either or any of them, any law to the contrary notwithstanding. After times of payment of instalments, &c plaintiff may sue out execution

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 thereon on or before the thirtieth day of November eighteen hundred and twenty-one; *Provided,* that the mortgagor or mortgagors, or those claiming under him, her or them, if of full age, or such of them as are of full age, shall, 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 justice of the orphans court of the county wherein the mortgaged premises may be, for the payment of eighteen months 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, then 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. In case a decree for foreclosure of mortgage has been obtained, no sale to take place until day aforesaid

4. *And be it enacted,* That it shall not be lawful for any judge, justice or justices, to take the recognizance or bond aforesaid, without the assent of the plaintiff or plaintiffs, or their attorney, unless he shall be satisfied from his own knowledge, or by competent testimony, that the estate and property of the securities in the recognizance are sufficient for the payment of the amount of the debt, interest and costs, for which the recognizance shall be taken. Proviso

5. *And be it enacted,* That as often as any creditor, or the executors or administrators of any such creditor, shall conceive him 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 any judge of the judicial district, or justice 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 him, her or them, within a fixed reasonable time, to be mentioned in such summons, to enter into another confession of the same judgment, with other securities, to be approved of by Bond not to be taken without assent of plaintiff

Creditor conceiving himself in danger of suffering from insufficiency of security, may apply to any judge