

manner and times and places of publication, or giving notice of the said sale, to the justice of the peace, authorised to receive the return of such fieri facias or venditioni exponas; and all said return together with the warrant and the proceedings of said magistrate thereunder, and the said fieri facias or venditioni exponas shall by the justice of the peace who shall receive such return, be forthwith delivered to the clerk of the county court of the county aforesaid, to be by said clerk recorded as sales under execution on judgments of county courts are or shall be required to be recorded, for which recording, said clerk shall be paid at and after the rates and in manner as he is now entitled to be paid for recording sales as aforesaid, and a copy of such record certified by the said clerk, under the seal of said court, shall be evidence of the matters therein set forth in all courts of law or equity in this state."

2nd. Add the following as additional sections to the bill and to be numbered section 3rd. 4th. 5th. 6th. respectively.

And be it enacted, That said sale as to any land, tenements or real estate or interest or estate in, of, relating to, or growing out of any lands, tenements or real estate, shall have no effect to pass or give any right or title or interest whatsoever to the purchaser or purchasers until such sale after the delivery of the proceedings aforesaid, to the clerk aforesaid, shall by the county court aforesaid, have been on motion, and notice given as said court shall as to mode and parties direct be finally ratified and confirmed; and the said county court, under said notice shall be authorised to examine into any allegations of fraud or surprise, as to the obtaining or rendering the judgment under which such sale shall have been made, and if said court shall deem the judgment aforesaid to have been obtained, or had by fraud or surprise, it shall vacate and annul the same; and the sale aforesaid, without prejudice to the right of further proceeding on the original cause of action; and if said court shall deem said sale to have been made unfairly, without due notice, or under any circumstances, tending to prevent the estate sold from bringing a fair or full value, the said court shall vacate and set aside the said sale, saving however, to the party entitled to the benefit of the judgment to have further execution of said judgment issued by any justice of the peace of the said county, on a certified copy, under seal of said county court of the said judgment; and if the said court shall ratify and confirm the said sale, said rati-