

In the case of a third sale, the Court may order the sheriff to receive from bidders a sum equal to the debt.

III. That in case of a third sale and adjudication in consequence of the neglect of the second purchaser to deposit the price of his purchase, it shall be lawful for the Court, if thereto required by any interested party, to order such Sheriff or officer of the Court to require every bidder, before receiving his bidding, to deposit and pay into his hands a sum equal to the debt due the plaintiff, including capital, interest and costs. 5

Deposit may be dispensed with in certain cases.

IV. That when the plaintiff or his Attorney *ad litem* or any person duly authorized to act on behalf of the plaintiff, shall authorise such Sheriff or officer of the Court either in writing or in the presence of two competent witnesses, whose names such officer shall enter in his return of proceedings, to receive the bidding of a bidder without requiring the deposit of monies in the cases above mentioned, such Sheriff or officer of the Court shall receive such bidding, and shall proceed to the sale and adjudication of the real property seized, without requiring the deposit and payment of the sums aforesaid or of any sum whatsoever. 10 15

Bidder may be required to make a deposit after issue of writ.

V. That if after the issue of the Writ *de terris* and before the first adjudication, the plaintiff or his Attorney in the cause shall declare on oath before one of the Judges of the Court, that he is credibly informed and believes that the defendant with a view to retard the sale of the real property seized, will cause the real property to be adjudged to insolvent or unknown purchasers, the Court shall have power to order such Sheriff or officer of the Court, who is hereby required to obey such order, to require every bidder at the sale of any real property to deposit and pay into his hands a sum equal to that due for costs up to the day of sale before receiving such bidding, unless such Sheriff or officer of the Court shall, at the time of the sale, be authorized by the plaintiff, or by his Attorney *ad litem*, or by some party duly authorized to attend to his interests, to receive such bidding without requiring such deposit or payment. 20 25 30

*Contrainte par corps* against *fol enchérisseur*.

VI. That in every case the *fol enchérisseur et adjudicataire* shall, in addition, be required to pay all other damages and interest accruing to the judgment creditor, and *contrainte par corps* may issue against such bidder for the recovery of the difference between the price bid by him and that of the re-sale on *folle enchère*, without his being entitled to claim any overplus that might exist. Such overplus shall be paid to the other creditors in their order, or if the creditors without interest, then to the judgment debtor. 35 40