

2. On the _____ day of _____, 18____, I served upon the said A. B. a notice in writing whereof the document produced to me at the time of my swearing this affidavit and marked _____ is a true copy. The said notice was served upon the said A. B. by _____

[Here state what was done with the document in order to bring it to the knowledge of debtor.]

3. There is now due to me on the security of the above-mentioned mortgage a sum of £ _____

(Signed.) L. M.

Sworn before me, _____

FORM B. (S. 6.)

To A. B. of _____

Take notice that there is now due to me the sum of £ _____ on the security of a mortgage made by you on the _____ day of _____, 18____, whereby you secured to me the repayment of a sum of £ _____ with interest thereon at the rate of _____ per cent. per annum and nominated _____ your attorney to sell the property hereinafter described, that is to say, _____

[Here describe the property according to registered description.]

if you should fail to pay the said sum of £ _____ on the _____ day of _____

And take notice that you are hereby required to pay the sum of £ _____ now due as aforesaid; and that if you shall not within _____ calendar months hereof pay the said sum in full together with such further interest as may accrue due on the said principal sum up to the day of payment, the said property may be sold without further notice to you.

(Signed) L.M.,
Mortgagee.

19 OF 1890.

TO SIMPLIFY AND AMEND THE LAW AS TO THE REGISTRATION OF SALES AND MORTGAGES OF IMMOVABLE PROPERTY.

HENRY BULWER.]

[June 13, 1890.]

1. No sale or mortgage of any immovable property in pursuance of any contract shall be registered at the Land Registry Office until the proceedings and formalities specified in sections 2, 3, and 4 have been complied with.

Sales and mortgages not registered unless formalities complied with.

Proceedings
by person
desiring to
sell or
mortgage.

2. Any person desiring to sell or mortgage any immovable property shall produce to the proper Land Registry Official, (a) the gochan for the property; (b) a receipt from the tax collector of the division in which the property is situate showing that all verghi due on it has been paid; and (c) in the case of a mortgage, the contract of mortgage duly stamped, (d) a statement in writing setting forth that he is the owner of the property and the person in whose name it is registered in the books of the Land Registry Office, the nature and extent of the property and its boundaries (if any) and that he has agreed to sell or mortgage it for a specified consideration, and requesting, in the case of a sale, that the property may be registered in the name of the intending purchaser, and in the case of a mortgage that the mortgage may be registered.

Proceedings
to be taken
by person
desiring to
purchase or
advance
money on
security of
property.

3. The person desiring to purchase the property or to advance money on the security thereof shall, together with the vendor or mortgagor, appear before the proper Land Registry official and produce a statement in writing setting forth that he has agreed to purchase the property for the specified consideration or to advance money on the security of the property and requesting, in the case of a sale, that the property may be registered in his name and, in the case of a mortgage, that the mortgage in his favour be registered.

Declarations
to be made
by parties.

4. The written statement or statements so produced to the Land Registry official shall be read over to the parties by whom they were produced and the contents thereof shall be declared by them to be true in the presence of the Land Registry official.

The parties producing the statement or statements shall thereupon, if they are able to do so, sign the same, or, if illiterate, affix their marks thereto, and they shall then be signed by the Land Registry official before whom the declarations were made.

Form of
declarations.

5. The written statements hereinbefore mentioned may in the case of a sale be in the Form No. 1 in the Schedule, and in the case of a mortgage in the Form No. 2 in the Schedule.

Issue of
gochans.

6.—(1.) When the declarations of the parties to the sale or mortgage have been signed as hereinbefore mentioned, the proper Land Registry official may, notwithstanding that any further or other formalities are prescribed by any law, order, or regulation, on payment of the fees, effect the necessary registrations and issue the proper gochans.

Proviso as to
time within
which

(2.) The proper Land Registry official may decline to issue the gochans unless they are applied for and the prescribed fee paid within