

(4.) A transfer in pursuance of any such sale may be made by the Registrar to any person whom the mortgagee in writing may appoint, instead of to the mortgagee, and shall have the same force and effect in favour of the person to whom it is made as it would have had if made to the mortgagee.

(5.) Where any sale made under the provisions of the Land Transfer Act, 1885, has not been completed by the execution of a proper transfer, the transfer may be made in the same manner and with the same effect as if such Act had continued in force, and for the purpose only of completing such sale such Act shall continue in force accordingly.

Protection of *bona fide* purchaser.
1908, No. 99, s. 113

113. Any transfer executed by the Registrar upon a sale made after the first day of January, nineteen hundred and six (being the date of the coming into operation of the Property Law Act, 1905), shall, in favour of any person (other than a mortgagee purchasing under the last preceding section, or any person appointed by him) claiming by, through, or under such transfer (including a person claiming under a transfer to the mortgagee) in good faith and for valuable consideration, be conclusive proof that all the provisions of this Act relating to the sale have been complied with, and that all things have happened and all times have elapsed to authorize such transfer to be made.

Fees payable on application.
Ib., s. 114
1913, No. 17, s. 11

114. (1.) In respect of every application under section one hundred and *ten* hereof there shall be paid to the Registrar by the mortgagee, in addition to the reasonable expenses of and incidental to the sale,—

Where the land is sold, a fee of one-eighth per centum where the purchase-money does not exceed two hundred pounds, and where the purchase-money exceeds that sum one-quarter per centum on the remainder of the purchase-money, but in no case shall such fee be less than one pound nor more than twenty pounds.

(2.) In any case where the land sold is sold subject to a mortgage, the moneys secured by the mortgage shall be deemed to be “purchase-money” within the meaning of this section.

Registration of transfer.
1908, No. 99, s. 115

115. (1.) Every transfer made and executed in favour of the mortgagee or by his direction as aforesaid may be registered under this Act.

(2.) Upon such registration the land, or the estate or interest of the mortgagor therein expressed to be transferred, shall vest in the transferee freed and discharged from all liability on account of the mortgage under which such power of sale has been exercised, or of any estate or interest registered subsequent thereto.

Discharge of mortgage, how effected.
Ib., s. 116

116. (1.) Upon the production of any memorandum by indorsement on the mortgage or otherwise, signed by the mortgagee and duly attested, discharging the land, estate, or interest from the whole or part of the principal sum or annuity secured, or discharging any part of the land comprised in such mortgage from the whole or any part of such principal sum or annuity, the Registrar shall make an entry in the Register and on the outstanding instrument of title, noting that such mortgage is discharged wholly or partially.

(2.) Upon such entry being made, the land, estate, or interest mentioned or referred to in such memorandum shall cease to be subject to or liable for such principal sum or annuity, or for the part thereof noted in such entry as discharged.