

possession, notify such re-entry upon the Register and upon the outstanding instrument of title, if produced to him for that purpose.

(2.) The estate of the lessee, and of every person claiming through or under him, shall thereupon cease and determine, but without releasing him or them from liability in respect of the breach or non-observance of any covenant or condition in such lease contained or implied.

(3.) Provided that unless such re-entry and recovery of possession have been by formal process of law, the Registrar shall require notice of application to register the same to be served on all persons interested under the lease, or, failing such notice, shall give at least one calendar month's notice of such application by publication in the *Gazette* and in some newspaper published in the district before making any entry upon the Register.

100. (1.) The provisions of section *eighty* hereof shall, *mutatis mutandis*, apply to any memorandum of lease of which the outstanding duplicate has been lost, mislaid, or destroyed.

Provision in case of lost lease.
1913, No. 17, s. 8

(2.) The same provisions shall, *mutatis mutandis*, apply to any memorandum of lease of which the outstanding duplicate has become defaced or dilapidated and is surrendered to the Registrar for cancellation, but in such case the statutory declaration referred to in subsection one and the notices referred to in subsection four of the said section *eighty* shall not be necessary.

Mortgages.

101. (1.) Whenever any estate or interest under this Act is intended to be charged with or made security for payment of any money the registered proprietor shall execute a memorandum in the Form E or F in the Second Schedule hereto as may be applicable to the case, and every such instrument shall contain a precise statement of the estate or interest intended to be charged, and shall, for description of the land, refer to the proper folium of the Register, and shall give such other description as may be necessary.

Mortgages, form of.
1908, No. 99, s. 101

(2.) The Form G in the Second Schedule hereto may be used in lieu of the said Form E.

102. A mortgage under this Act shall have effect as security, but shall not operate as a transfer of the estate or interest so charged.

Mortgage to take effect as security only.

103. (1.) In every mortgage under this Act there shall be implied the covenants, conditions, and powers set forth in the Fourth Schedule hereto, except in so far as is otherwise expressed in the mortgage.

Ib., s. 102
1913, No. 17, s. 9
Covenants and conditions implied in mortgage.

(2.) The covenant relating to insurance contained in the Sixth Schedule hereto shall not apply to such mortgages.

1908, No. 99, s. 103

104. (1.) In the case of every mortgage under this Act—

Alteration of terms of mortgage by indorsement thereon.

(a.) The amount secured by the mortgage may be increased or reduced;

(b.) The rate of interest may be increased or reduced; and

(c.) The term or currency of the mortgage may be shortened, extended, or renewed,

1913, No. 17, s. 10

by a memorandum in such one of the forms numbered (1), (2), or (3) in the Fifth Schedule to this Act as is applicable,