

from recovering any claims which they may have against the mortgagor; and in case the mortgage is filed, as hereinafter provided, the same shall be as valid and binding as mortgages mentioned in the preceding Sections of this Act.

7. The affidavit of *bona fides* required by the preceding two Sections, may be made by one of two or more bargainees or mortgagees.

8. The Instruments mentioned in the preceding Sections shall be filed with the Registrar of Deeds and Wills of the County where the maker resides, if resident within the Province, and, if not so resident, then with the Registrar or Registrars of the County or several Counties in which the goods may be, and such Registrar shall file all such Instruments presented to him for that purpose, and shall endorse thereon the day and hour of receiving the same in his office, and the same shall be kept there for the inspection of all persons interested therein, or intending or desiring to acquire any interest in or of any portion of the property covered thereby.

9. The Registrar shall number every such Instrument or copy filed in his Office, and he shall enter in alphabetical order in a book to be kept by him for that purpose the names of all the parties to such Instruments, with the numbers endorsed thereon opposite to each name, and such entry shall be repeated alphabetically under the name of every party thereto.

10. Every mortgage or copy thereof filed in pursuance of this Act, shall, before the expiration of one year from the filing thereof, be renewed by filing in the office of the Registrar in which such instrument was originally filed, a statement exhibiting the interest of the mortgagee, his Executors, Administrators or Assigns, in the property claimed by virtue thereof, and showing the amount still due for principal and interest thereon, and showing all payments made on account thereof, together with an affidavit of the mortgagee, or one of several mortgagees, or of the assignee, or one of several assignees, or of the agent of the mortgagee or assignee, or mortgagees or assignees, as the case may be, that the statement is true, and that the mortgage has not been kept on foot for any fraudulent purpose; and in case of failure to file such statement and affidavit within the time aforesaid, any creditor of the mortgagor, may, by a written notice served upon such mortgagee or mortgagees, or upon such assignee or assignees, require him or them to file such statement and affidavit, and if the same are not filed, as required by this Section, within thirty days after service of such notice, then such mortgage shall cease to be valid as against any execution against the goods and chattels of the mortgagor issued at the suit of such creditor.

11. The statement and affidavit mentioned in the next preceding Section may be in the form given in Schedule B to this Act, or to the like effect.

12. The statement and affidavit shall be deemed one Instrument and be filed and entered in like manner as the Instruments in this Act mentioned are by Section 8 required to be filed and entered, and the like fees shall be payable for filing and entering the same as are payable for filing and entering such Instruments.

13. Another statement in accordance with the provisions of Section 10 of this Act, duly verified as required by that Section, shall be filed in the office of the Registrar in which the original Instruments were filed, within thirty days next preceding the expiration of the term of one year from the day of the filing of the statement required by the said Section 10, and so on from year to year; that is to say, another statement as aforesaid, duly verified, shall be filed within thirty days next preceding the expiration of one year from the day of the filing of a former statement. In case

of failure to file the statement and affidavit from time to time, as required by this Section, any creditor of the mortgagor may, by a written notice served upon such mortgagee or mortgagees, assignee or assignees, require him or them to file such statement and affidavit, and if the same are not filed, as required by this Section, within thirty days after service of the notice herein provided for, then such mortgage shall cease to be valid as against any execution against the goods and chattels of the mortgagor issued at the suit of such creditor.

14. The affidavit required by Section 10 may be made by any next of kin, Executor or Administrator of any deceased mortgagee, or by any assignee claiming by or through any mortgagee, or any next of kin, Executor or Administrator of any such assignee; but if the affidavit is made by any assignee, next of kin, Executor or Administrator of any such assignee, the assignment, or the several assignments through which the assignee claims, shall be filed in the office in which the mortgage is filed, at or before the time of such refiling by the assignee, next of kin, Executor or Administrator of the assignee.

15. (1) In the case of a mortgage or conveyance of personal property of any Company incorporated by or under Imperial Act or Charter, or by or under any Act or Charter of the Dominion of Canada, or by or under any Act or Charter of the Province of New Brunswick, made to a bondholder or bondholders, or to a Trustee or Trustees, for the purpose of securing the Bonds or Debentures of such Company, instead of the affidavit of *bona fides* required by the first and second Sections of this Act, it shall be sufficient for the purposes of this Act if an affidavit be filed as thereby required, made by the mortgagee or one of the mortgagees, to the effect that the said mortgage or conveyance was executed in good faith, and for the express purpose of securing the payment of the Bonds or Debentures referred to therein, and not for the purpose of protecting the goods and chattels mentioned therein against the creditors of the mortgagor, or of preventing the creditors of such mortgagor from obtaining payment of any claim against him;

(2) Any such mortgage may be renewed in the manner and with the effect provided by the tenth and following Sections of this Act, upon the filing of a statement by the mortgagee or one of the mortgagees exhibiting the interest of the mortgagee or mortgagees in the property claimed by virtue of the said mortgage, and shewing the amount of the Bond or Debenture debt that the same was made to secure, and showing all payments on account thereof which to the best of the information and belief of the person making such statement have been made, or of which he is aware or has been informed, together with an affidavit of the person making such statement that the statement is true to the best of his knowledge, information and belief, and that the mortgage has not been kept on foot for any fraudulent purpose, and such statement shall be filed instead of the statement required by the said Sections of this Act;

(3) If any mortgage as aforesaid be made to an incorporated Company, the several affidavits and statements herein mentioned may be made by the President, Vice-President, Manager or Assistant Manager of such mortgagee Company, or any other officer of the Company aforesaid for such purpose;

(4) For the purpose of the filing or registering of any conveyance under this Act, the head office within the Province of