BILL

No. 51 of 1919.

An Act to amend the provisions of The Land Titles Act relating to Mortgages of Homesteads and Pre-emptions.

(Assented to , 1919.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

The Land Titles Act, being chapter 24 of the Statutes of Alberta, 1906, is amended as follows:

- 1. By striking out of section 60, subsection 3 thereof, and by adding to that section the following as a new subsection 3:
- "(3) Provided, however, that nothing herein contained shall entitle a settler who has entered for a homestead or homestead and pre-emption under the provisions contained in *The Dominion Lands Act* to mortgage the land entered for by him as a homestead or pre-emption prior to issue of a patent to him therefor, save in so far as is permitted by the said Act."
- 2. By inserting in the schedule thereto in place of the prior form P the following:

"FORM P.

"(Section 60.)

"AFFIDAVIT TO BE FILED WITH A MORTGAGE OR ENCUMBRANCE.

"Province of Alberta To Wit:	
"I,	of the
in the	make oath and say—
	ortgagor (or encumbrancer) named
	ng date theand made
in favour of	against (describe the land

mortgaged or encumbered).

"2. (In case of land mortgaged prior to the issue of transfer from a company entitled to or which has received grant from

the Crown.)

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"That I have paid the full purchase price for said land and hold therefor the receipt of the..... executed by their duly authorized agent at..... and am entitled to transfer in fee simple from said......

"3. That the grant from the Crown has not yet been issued, but I am the person rightfully in possession of said land and entitled to create said mortgage (or encumbrance) under section 62 of The Land Titles Act by virtue of the following title (set out mortgagor's title and show positively that the mortgage does not come within the provisions of The Dominion Lands Act so far as the same prohibits mortgages on homesteads).

"(In case the land mortgaged is a purchased homestead

or pre-emption.)
"3. That the grant from the Crown has not yet been issued but I am the person rightfully in possession of said land and entitled to create said mortgage (or encumbrance) under section 62 of The Land Titles Act, and section 27 (or section 28) of The Dominion Lands Act, by virtue of a certificate which I hold recommending the issue to me of letters patent to the said land, which certificate is in form J in the schedule to the said The Dominion Lands Act, and is duly countersigned by the Commissioner of Dominion Lands and is still in force.

"Sworn before at theofin the	
$\left. \begin{array}{cccc} \dots & \text{of} & \dots & \dots \\ \text{this} & \dots & \text{day of} \\ \dots & \dots & \dots & \dots \end{array} \right\}$	Signature."
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SECOND SESSION FOURTH LEGISLATURE 9 GEORGE V 1919

BILL

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Received and read the

Hon. Mr. Boyle.

EDMOTON: J. W. Jeffert, King's Printer A. D. 1919