

upon property in any one or more of said counties, which mortgage was executed after the thirtieth day of March, in the year 1896, except for the purpose of foreclosure, the assignee, his agent or attorney shall take the oath or make the affirmation prescribed in this section; and when said oath or affirmation is made by an agent or attorney, he shall, in addition thereto, make oath or affirmation that he is the agent or attorney of the assignee, which oaths or affirmation shall be recorded with the assignment. No mortgage or assignment of mortgage shall be valid except as between the parties thereto, unless the said oaths or affirmation shall be endorsed thereon; provided, that nothing in this section shall apply to mortgages executed and recorded in any one or more of said counties prior to the fifteenth day of March, in the year 1902.

1896, ch. 120, sec. 146 E. 1904, ch. 405.

187. It shall be the duty of the clerks of the circuit courts for the said several specially enumerated counties to render to the boards of county commissioners of said several counties, respectively, on the first day of each month, a complete list of all mortgages recorded, released and assigned in their respective offices during the last month, which said list shall give the names of the mortgagee and mortgagor, the location of the property covered by the mortgage, the date of its execution, the time of expiration, the amount of the mortgage and the rate of interest covenanted to be paid, under a penalty of three hundred dollars for their neglect to do so, to be recovered as other fines are now recovered, and said clerk shall be entitled to compensation for such work, to be paid by the county commissioners in said several counties. Should any mortgagee neglect or refuse to pay said tax when due, the collector of the same is hereby authorized to seize and sell all his interest in said mortgage in the same manner that other property is now sold for taxes in said several counties.

Ibid. sec. 146 F. 1904, ch. 405.

188. Any mortgagor paying the tax hereby required to be paid by the mortgagee shall at any time upon satisfactory proof of the same in any court of equity of this State be entitled to have the amount so paid with interest at the rate of six per centum per annum deducted from the mortgage debt.