

“Conveyancing,” sub-title “Mortgages,” be and it is hereby repealed and re-enacted, with amendments, to read as follows:

42. A release of a mortgage *or deed of trust* may be made in the following form, or to the like effect:

“I hereby release the above (or within) mortgage (*or deed of trust*).

“Witness my hand and seal this.....day of.....  
(Seal.)”

43. Such release may be written by the mortgagee, or his assignee, *or the trustee under a deed of trust*, upon the record in the office where the mortgage, *or deed of trust* is recorded, and attested by the clerk of the court; and the clerk at the time of recording every mortgage, *or deed of trust* shall leave a blank space at the foot thereof for the purpose of entering such release.

44. Or, such a release may be endorsed on the original mortgage *or deed of trust* by the mortgagee or his assignee, *or the trustee under a deed of trust*; and upon such mortgage *or the deed of trust*, with the release thereon endorsed, being filed in the office in which the mortgage *or the deed of trust* is recorded, the clerk shall record such release at the foot of the mortgage *or the deed of trust*.

45. When the mortgage *or the deed of trust*, with the release thereon, is filed for the purpose of recording the release, the clerk shall retain such mortgage *or deed of trust* in his office and not permit the same to be again withdrawn for a period of twenty-five (25) years, after which time he may destroy it; provided, however, that if the release is partial in its character, after the recording of the same, the clerk may permit the mortgage *or the deed of trust* to be withdrawn.

46. Every release executed in either of the above modes shall be construed and deemed sufficient to release said mortgage *or deed of trust*, as fully and effectually as any instrument of writing whatever could do.

47. A release or assignment may be made by an executor or assignee in the same manner and form and with like effect as by the mortgagee *or trustee under a deed of trust*; this section to apply to every assignee, whether he