

ing to the party entitled to redeem first, not less than \_\_\_\_\_ months after service on him of the notice of foreclosure, and naming for redemption by the party entitled to redeem next in order in case the first party does not redeem, a day at least \_\_\_\_\_ from the day named for the first party to redeem, and a subsequent day, at a like interval, for each, successively, of the remaining parties who may be entitled to redeem successively, save that but one day need be named for all persons whose right to redeem is under and by virtue of judgments, executions, and attachments. 5

Form of notice.

6. The notice of foreclosure may in the form or to the effect following: 10

To [naming the parties, and if any of those interested under judgments, executions, and attachments, (whether they be the original parties, or their representatives, assigns, or others claiming through or under them,) are not named, add to the effect following:] and all [other] persons who have a lien on the property hereafter described, under or by virtue of Judgements, executions, and attachments against any one having an interest in or charge upon the equity of redemption thereof. 15

Whereas default has been made in paying the mortgage held by me [describing the mortgage and the property comprised therein, in any manner that may with reasonable clearness identify the same.] 20

Now I hereby give you notice, under the "Act to provide for the foreclosure of Mortgages in certain cases without suit," that I claim to be due and payable to me on the said mortgage, the sum of \$ \_\_\_\_\_ with interest from \_\_\_\_\_ and, (unless the same should be previously paid to myself,) I appoint the same to be paid by you the said \_\_\_\_\_ to my credit into the [naming an Incorporated or Chartered Bank] at [naming one of its offices in Upper Canada,] on or before the [naming a day not earlier than \_\_\_\_\_ months after the day when all the parties may be expected to be served.] 25

And you the said \_\_\_\_\_ will further take notice that under the "Act to provide for the foreclosure of mortgages in certain cases without suit," if the amount due is not paid by the time above appointed, you the said shall, without any suit or further notice, stand forever barred and foreclosed of all interest and equity of redemption in, to or out of the property comprised in the said mortgage. 30 35

Then add, if there is any party entitled to a further day, to the following effect. And in case of such default by the said \_\_\_\_\_ I do hereby appoint the said money to be paid by you the said \_\_\_\_\_ [naming the party or parties entitled next to redeem] to my credit on or before the [naming a day at least \_\_\_\_\_ from the day named for the first party to redeem.] And if you the said \_\_\_\_\_ do not pay the amount on or before the said \_\_\_\_\_ you also shall, without any suit or further notice, stand forever barred and foreclosed of all interest and equity of redemption in, to or out of the property comprised in the said mortgage, [and so on, if there are more than two persons or classes of persons entitled to separate days to pay.] 40 45

Take notice also, that if [any of] you dispute my right to foreclose you under this notice, or if you dispute the amount I claim to be due on the mortgage, you are required by the said Act to take immediate steps in that behalf, in such Court as you may be advised, or you will lose all benefit of your defence. 50

Dated this \_\_\_\_\_

#### SERVICE OF THE NOTICE OF FORECLOSURE.

Service to be personal. Exception.

7. The notice of foreclosure may be served in Upper Canada or elsewhere, and shall be served personally except in the case of a corporation or an infant, or of persons whose right to redeem is under or by vir- 55