

Hardingham (1880), 15 Ch.D. 339; *Sanders v. Sanders* (1881), 19 Ch.D. 373, at 379; *Shaw v. Coulter* (1905), 11 O.L.R. 630. The words "in the meantime" in the statute (R.S.O. 1914, ch. 75, sec. 20) would seem to exclude an acknowledgment given after the period has expired. Under sec. 14 (relating to the right to make an entry or distress, or bring an action to recover land or rent), it has been held that an acknowledgment given after the expiration of the statutory period is too late. *McDonald v. McIntosh* (1857), 8 U.C.R. 388; *Doe d. Perry v. Henderson* (1846), 3 U.C.R. 486.

12. ACKNOWLEDGMENT TO OR BY ONE OF SEVERAL PERSONS.

The statute 3 & 4 Wm. IV., ch. 27, sec. 28, contained provisions as to acknowledgments by one of several mortgagees or to one of several mortgagors. The corresponding provisions in Ontario are R.S.O. (1914), ch. 75, secs. 21 and 22, as follows:—

21. Where there are more mortgagors than one, or more persons than one claiming through the mortgagor or mortgagors, such acknowledgment if given to any of such mortgagors or persons, or his or their agent, shall be as effectual as if the same had been given to all such mortgagors or persons.

22. Where there are more mortgagees than one, or more persons than one claiming the estate or interest of the mortgagee or mortgagees, such acknowledgment, signed by one or more of such mortgagees or persons, shall be effectual only as against the person or persons so signing, and the person or persons claiming any part of the mortgage money or land or rent by, from, or under him, or them, and any person or persons entitled to any estate or estates, interest or interests, to take effect after or in defeasance of his or their estate or estates, interest or interests, and shall not operate to give to the mortgagor or mortgagors a right to redeem the mortgage as against the person or persons entitled to any other undivided or divided part of the money or land or rent; and where such of the mortgagees or persons as have given such acknowledgment are entitled to a divided part of the land or rent comprised in the mortgage or some estate or interest therein, and not to any ascertained part of the mortgage money, the mortgagor or mortgagors shall be entitled to redeem the same divided part of the land or rent on payment, with interest, of the part of the mortgage money which bears the same proportion to the whole of the mortgage money as the value of such divided part of the land or rent bears to the value of the whole of the land or rent comprised in the mortgage.

The provision of sec. 22 that the acknowledgment of one of several mortgagees "shall be effectual only against the party signing the acknowledgment" is directed to the case of several mortgagees where an account taken against one will bind his interest, but not the interest of any other person. The statute has no application to the case of a mortgage to several persons jointly as trustees. In the latter case there must be an acknowledgment by all. *Richardson v. Younge* (1871), L.R. 6 Ch. 478.

13. AGAINST WHOM TIME RUNS.

It has been held that the time will run against a person entitled to the equity of redemption in remainder, although the mortgagee enters into posses-