

335. Every memorial so to be lodged or registered as aforesaid shall specify the names of the plaintiff and defendant, the sum recovered by such judgment, and the time of signing the same, together with the date of delivery of the writ of sale to the proper officer for execution, and shall also refer to the land intended to be affected or charged thereby; and shall contain or have indorsed thereon or annexed thereto a plan of such land, showing its extent, boundaries, and relative position, or refer to an existing grant, certificate of title, or receipt or other instrument, for description of the parcels: Provided that any person who or whose land may be prejudicially affected by such memorial may apply to a Judge at chambers to have the registration of such memorial removed or the effect thereof modified, and such Judge may make such order with reference thereto as may be just, and allow such costs to either party as he may consider reasonable.

336. Until the registration of such memorial as aforesaid, no sale or transfer of land under any such writ of sale shall be valid or have any effect as against a purchaser for valuable consideration, notwithstanding such writ may have been actually lodged for execution at the time of the purchase, and notwithstanding the purchaser may have had actual or constructive notice of the lodgment of the writ.

337. Upon depositing with the District Land Registrar, or the District Registrar of Lands, or the Registrar of Deeds, as the case may be, of the district within which the lands are situate, a memorial of the satisfaction of any such judgment, or other sufficient evidence of such satisfaction, or any order of the Court or a Judge, the appropriate entries in the respective registers shall be made, and thereupon such judgment and any writ of sale issued thereupon shall be deemed to be satisfied as regards such lands.

338. Every such judgment as aforesaid shall cease to bind, charge, or affect any such land, unless some deed or instrument of transfer upon a sale under a writ of sale issued thereupon shall be lodged or registered within six months from the day of the registration of the memorial as aforesaid.

339. It shall not be necessary for the officer to whom a writ of sale is directed to make any seizure of land before the sale of such land.

340. The officer to whom the writ is directed shall, as soon as possible, remove the chattels seized to some proper place for the purpose of sale, unless the parties whose chattels have been seized shall in writing consent to the chattels being left on the premises where the same were seized, in the custody of some proper person to be put in possession by the officer, and sold there.

341. The sale shall be held at such place as the officer to whom the writ is directed shall deem most advantageous, and, with the consent of the person against whom the writ has been issued, may, in the case of chattels, be the place of seizure, and, in the case of land, on the land to be sold.

342. Notice of the time and place of any intended sale of chattels shall be given by advertisement in some newspaper circulating in the town or district in which such sale is to take place, and such advertisement shall be published in such newspaper at least five days before the date of the intended sale, and shall be republished in each issue of such newspaper up to the date of sale.

343. Notice of the time and place of any intended sale of any estate, right, or interest in land shall be given by advertisement in at least one newspaper circulating in the town or district in which the land is situated, and such advertisement shall be published in such newspaper as aforesaid at least twenty-one days before the date of any intended sale, and shall be republished in such newspaper in each issue of such newspaper up to the date of sale.

344. A copy of the notice of any intended sale shall, previously to the sale, be served by the officer to whom the writ is directed on the person against whom the writ has been issued.

345. The notice of any intended sale shall specify the chattels, or right, or interest in chattels, or the lands, or estate, right, or interest therein intended to be sold, and shall state that the sale is made at the suit of the execution creditor, the name of the officer executing the writ, and the name of the solicitor (if any) of the party issuing the writ.

346. All sales under a writ of sale may be of all the property seized in one lot or in several lots, and shall be to the highest bidder, and, unless the Court or a Judge otherwise direct, shall be for cash before delivery, conveyance, assignment, or transfer, and shall be of the estate, right, title, or interest only of the party against whom such writ has been issued in the chattels or lands put up for sale.

347. The officer to whom the writ has been directed may demand, and, in case of refusal, seize the title deeds of and in possession of any party against whom a writ has been issued, and produce them to any intending purchaser.

348. In the event of such officer being unable to sell any chattels, or not being able to obtain what he considers a reasonable price therefor, he may put up the same for sale again, and on such second, or any subsequent sale, may sell the same to the highest bidder.

349. If both land and chattels belonging to the same person be taken in execution under the same writ of sale, the officer executing the writ shall, unless such person otherwise desire, cause the chattels to be sold first, and in case the proceeds shall be insufficient to satisfy the execution, he shall then sell the land.

350. A person whose lands have been seized may, by notice in writing, delivered to the officer to whom the writ of sale is directed at least ten days previously to such sale, require that any specified portions of the land so advertised be first sold, and such person shall cause the same to be first put up for sale accordingly, and if a sufficient sum shall be realized thereby to satisfy the execution, interest, officer's fees and expenses, no other part of such lands shall be sold, otherwise such officer shall proceed with the sale of the remainder.

351. It shall be lawful for the officer to whom the writ is directed, by himself or his deputy, to sell by auction all lands and chattels which may be taken by him in execution, without having taken out an auctioneer's license, anything in any law, Act, or Ordinance to the contrary notwithstanding.

352. The officer to whom a writ of sale is directed is hereby empowered and required to execute a proper deed of conveyance, assignment, or transfer, as the case may require, to the purchaser of the estate, right, or interest of the execution debtor in any land or chattels, and such deed shall be sufficient to convey to the purchaser all the estate, right, title, and interest of the execution debtor in the property sold.