

CORRESPONDENCE.

MR HART'S PAPER—PLACING OF A CAUTION ON
THE LAND REGISTER.

To the Editor of the Transactions of the Faculty of Actuaries.

SIR,—Referring to my remarks in the discussion of Mr. Hart's paper on *The English Land Registry*, I am informed by the registrar that there are provisions by which any person interested in any land or charge registered, whether under an unregistered instrument or otherwise, is enabled to lodge a caution with the registrar, to the effect that no dealing with such land or charge on the part of the registered proprietor be proceeded with until notice thereof has been served upon him. Such cautions, therefore, are a type of indirect protection for unregistered rights where the proprietor's consent is not procurable.

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If an insurance company, interested in trust funds invested in registered land, were to put on a caution under the above provision in place of registering a restriction with the registered proprietor's consent, it might have to pay any costs occasioned by so doing. As clauses are usually introduced in mortgages of reversions etc., to the effect that the reversioner has to bear any costs in connection with the placing of distringases, might not the principle be extended to cover any costs incurred in connection with the placing of a caution, if the registered proprietors—possibly the trustees of the settlement—object to concur in registering a restriction?

Yours faithfully,

VYVYAN MARR.

22 GEORGE STREET,
EDINBURGH, 8 *February* 1905.