

**Revised Statutes of 1846 (EXCERPT)**  
**CHAPTER 65. OF ALIENATION BY DEED, AND THE PROOF AND RECORDING OF**  
**CONVEYANCES, AND THE CANCELING OF MORTGAGES.**

**565.42 Discharge of mortgage; certificate of mortgagee; circuit court, or register in chancery.**

Sec. 42.

Any mortgage shall also be discharged upon the record thereof by the register of deeds, in whose custody it shall be, whenever there shall be presented to him a certificate executed by the mortgagee, his personal representative or assigns, acknowledged, approved and certified as in this chapter provided, to entitle conveyances or instruments in writing in any wise affecting the title to lands to be recorded, specifying that such mortgage has been paid, or otherwise satisfied or discharged; or upon the presentation to such register of deeds of the certificate of the circuit court, signed by the judge of said court, and under the seal thereof, certifying that it has been made to appear to said court that said mortgage has been duly paid, or upon the presentation to such register of deeds of a certificate of the register in chancery of the county and under the seal thereof certifying that a decree of foreclosure of any such mortgage has been duly entered in his office, and that the records in his office shows that such decree has been fully paid and satisfied.

**History:** R.S. 1846, Ch. 65 ;-- CL 1857, 2761 ;-- Am. 1867, Act 102, Imd. Eff. Mar. 26, 1867 ;-- CL 1871, 4244 ;-- Am. 1875, Act 47, Eff. Aug. 3, 1875 ;-- How. 5702 ;-- CL 1897, 9008 ;-- CL 1915, 11743 ;-- CL 1929, 13316 ;-- CL 1948, 565.42

**Compiler's Notes:** The register of chancery, referred to in this section, is now clerk of the circuit court. See MCL 600.571.