



Mortgages in California: A Practical Essay (Classic Reprint)

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California from 1849 to the present time, experience in the investment here of capital, and the loss of time necessarily involved in obtaining a practical knowledge of the laws directly and indirectly affecting mortgages in this State, in the absence of a concise publication on the subject, suggested to the writer the utility of the present essay, which is chiefly intended as a means of information for such as have, or may have, funds invested here under his care. Actual results demonstrate that loaning on mortgage in California, as in many other countries, is a very desirable mode of placing funds at interest, provided it be done with that care and prudence which should everywhere be observed in the matter of mortgages, which does not forget the lesson :in dubio abstine, and which takes into due consideration the influence which various changes of circumstances may have. So likewise has experience shown that in this State, right and justice for the mortgagee, as well as for the mortgagor, are in harmony, and that the taking of money on mortgage may in a great degree promote the interests of the mortgagor. It is true, the interest on mortgages, though not high in comparison with the rates of interest paid on all other loans, is much higher here than in many other countries, the supply of capital not being equal to the large demand for it; but mortgagors on the other hand may derive in proportion greater benefits from its use.

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