

(c.) The case of a registered proprietor claiming under the instrument of title prior in date of registration, under the provisions of this Act, in any case in which two or more grants or two or more certificates of title, or a grant and a certificate of title, may be registered under the provisions of this Act in respect to the same land.

(2.) In any case other than as aforesaid, the production of the Register or of a certified copy thereof shall be held in every Court of law or equity to be an absolute bar and estoppel to any such action against the registered proprietor or lessee of the land the subject of such action, any rule of law or equity to the contrary notwithstanding.

When land brought under Act title guaranteed to registered proprietor.
1908, No. 99, s. 61

60. After land has become subject to this Act no title thereto, or to any right, privilege, or easement in, upon, or over the same shall be acquired by possession or user adversely to or in derogation of the title of the registered proprietor.

Certificate of Title.

Registered proprietor entitled to certificate of title.
Ib., s. 62

61. (1.) Every registered proprietor of an estate of freehold in possession in land under this Act shall be entitled to a certificate of title for the same in the Form B in the Second Schedule hereto, or as near thereto as the nature of the interest will permit.

(2.) No certificate of title shall issue for any undefined interest.

Existing incumbrances to be noted in certificate.
Ib., s. 63

62. The Registrar shall note upon such certificate, in such manner as to preserve their priority, the memorials of all unsatisfied mortgages, leases, and other estates and interests, outstanding or otherwise, to which the land is subject at the time of issuing such certificate; and, in case of a certificate issued to a minor, or person under other legal disability, the Registrar shall, in such certificate, state the particulars of such disability so far as he has notice or knowledge thereof.

Certificate, how to be dated.
Ib., s. 64

63. (1.) Every certificate issued pursuant to any dealing under this Act shall bear even date with the registration of such dealing, unless such dealing has been originally entered on the Provisional Register, in which case the certificate shall bear even date with the registration of the Crown grant, or with the date of reception by the Registrar of the Governor's warrant for issue of a certificate in lieu of grant, as the case may be.

May be antedated.

(2.) A certificate of title issued in the name of a registered proprietor in lieu of a cancelled certificate may be expressed to take effect as from the date of the certificate originally issued to such proprietor in respect of the same estate or interest.

How memorial of easement to be recorded.
Ib., s. 65

64. Whenever any easement or incorporeal right, other than an annuity or rent-charge in or over any land under this Act, is created for the purpose of being annexed to, or used and enjoyed together with, other land under this Act, the Registrar shall enter a memorial of the instrument creating such easement or incorporeal right upon the grant or certificate of title of such other land, and such memorial shall, as from the date of entry thereof, have the effect of including such easement in such grant or certificate of title, as appurtenant to the land therein described.

Tenants in common entitled to separate certificates.
Ib., s. 66

65. When two or more persons are entitled as tenants in common to undivided shares in any land, each such person shall be entitled to receive a separate certificate for his undivided share: