

ates of title to land within his district, and each grant and certificate of title shall constitute a separate folium of such Register, and the Registrar shall record thereon the particulars of all instruments, dealings, and other matters by this Act required to be registered or entered on the Register affecting the land included under each such grant or certificate of title distinct and apart.

When grants, certificates of title, and instruments deemed registered.

1908, No. 99, s. 34

34. (1.) Every grant and certificate of title shall be deemed and taken to be registered under the provisions and for the purposes of this Act so soon as the same have been marked by the Registrar with the folium and volume as embodied in the Register.

(2.) Every memorandum of transfer or other instrument purporting to transfer or in any way to affect land under the provisions of this Act shall be deemed to be so registered so soon as a memorial thereof as hereinafter described has been entered in the Register upon the folium constituted by the existing grant or certificate of title of such land.

Definition of registered proprietor.

(3.) The person named in any grant, certificate of title, or other instrument so registered as seised of or taking any estate or interest shall be deemed to be the registered proprietor thereof.

Instruments to be in duplicate.

1913, No. 17, s. 6

35. (1.) Every instrument presented for registration shall (except in the case of a memorandum of transfer) be in duplicate, or, if the person presenting the same so requires, in triplicate, and shall be attested by a witness.

(2.) In the case of an instrument registered in triplicate one part shall be marked "Triplicate," and it shall not be necessary to record on that part any memorial as provided by section thirty-seven of this Act.

(3.) Every instrument shall be registered in the order of time in which the same is presented for that purpose.

Instruments entitled to priority according to date of registration.

(4.) Instruments registered in respect to or affecting the same estate or interest shall, notwithstanding any express, implied, or constructive notice, be entitled in priority the one over the other according to the date of registration, and not according to the date of each instrument itself.

(5.) On registration thereof the Registrar shall file the same or one part thereof (if in duplicate or triplicate) in his office and deliver the other or others (if any) to the person presenting the same for registration.

(6.) So soon as registered every instrument drawn in any of the forms provided in the Schedules to this Act; or in any form which for the same purpose may be authorized in conformity with the provisions of this Act, shall, for the purposes of this Act, be deemed and taken to be embodied in the Register as part and parcel thereof.

(7.) Such instrument, when so constructively embodied and stamped with the seal of the Registrar, shall have the effect of a deed duly executed by the parties signing the same.

Memorial defined.

1908, No. 99, s. 36

36. Every memorial entered in the Register shall state the nature of the instrument to which it relates, the day and hour of the production of such instrument for registration, and the names of the parties thereto, and shall refer by number or symbol to such instrument, and shall be signed by the Registrar.

Memorial to be recorded on duplicate grant or other instrument.

Ib., s. 37

37. (1.) Whenever a memorial of any instrument has been entered in the Register the Registrar shall (except in the case of transfer or