

same statute abolished tacking as between several registered incumbrancers, and declared that the registry of any deed affecting land should in equity constitute notice of such deed to all persons claiming any interest in the land subsequent to its registry. The statutes 16 Vict. chap. 187 and 18 Vict. chap. 127 provided for additional facilities in regard to the proving of instruments, for the registration of Powers of Attorney and of certificates of *Lis Pendens*.

Chapter eighty-nine of the Consolidated Statutes of Upper Canada comprised a consolidation of the several acts affecting registration from 9 Vict. chap. 24 to 18 Vict. chap. 127 inclusive, and also certain clauses of 20 Vict. chapters 56 and 57 relating to the registration of decrees for the payment of money and of judgments. The sweeping enactment of 24 Vict. chap. 41 abolished the registration of the last mentioned instruments, and nearly abolished that of releases of mortgage, a slip which was remedied by a statute of the next session of Parliament. (c)

The Act contained in the following pages repeals the consolidated and following Statutes, and introduces radical changes in the mode and as to the effect of registration, in that it declares that no equitable lien shall be deemed valid as against a registered instrument executed by the same party or those claiming under him,—whereas the rights of equitable mortgagees had been expressly saved by preceding acts,—and compels the registration of instruments at full length, and their being deposited in the Registry office, making the County Registrar the general custodian of title deeds.

Heretofore, the object and effect of registration has been simply to afford notice to intending purchasers and mortgagees of the existence of prior conveyances and incumbrances, and they were left to obtain further information as best they might. Those who have been called upon to satisfy cautious or unwilling purchasers by the production of title deeds and the exhibition of a marketable title, know the difficulties which, in the majority of cases, have hitherto surrounded such an undertaking. Under the system which is to prevail hereafter, registration will convey not merely notice, but complete knowledge of the condition of a title, so far at least as it is affected by dealings subsequent to the Act; while the Act for quieting titles provides an easy method of setting at rest any previous difficulties, and the provision for the deposit of all instruments in the Registry will remove any objection which might otherwise arise from the non-production of title deeds. These in fact may hereafter be multiplied *ad infinitum*.

That title deeds should be taken out of the owner's keeping and placed in the custody of a public officer, and that the dispositions made in wills and settlements should be disclosed to the world—for such is the effect of the new mode of