

whole of such legal sub-divisions, and shall indicate the location of the lands to be transferred: Provided always, that this shall not be necessary in the case of lots in a city, town or village, the plan of which has been registered.

- 33.** The registrar may administer any oath or take any affirmation or declaration in lieu of an oath from any one entitled by law to affirm or declare. 5
- 34.** The registrar shall keep a book or books, which shall be called "the register," and shall bind up therein duplicates of all certificates of titles to be issued as hereinafter provided for; and each certificate of title shall constitute a separate folio of such book, and the registrar shall record therein the particulars of all instruments, dealings, and other matters by this Act required to be registered or entered in the register, and affecting the land included under each certificate of 10 title.
- 35.** The registrar shall also keep a book or books which shall be called "the day-book," and in which shall be entered by a short description every instrument which is given in for registration, with the day, hour 20 and minute of filing; and for purpose of priority between mortgagees, transferees and others, the time of filing shall be taken as the time of registration. The registrar, in entering memorials upon the grants and certificates of titles embodied in the register, and in endorsing a memorial 25 upon an instrument to be issued, shall take the time from the day-book as the time of registration.
- 36.** Every grant shall be deemed and taken to be registered under the provisions and for the purposes of this Act, so soon as the same has been marked by the registrar with 30 the folio and volume on and in which it is embodied in the register; and every transfer and 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 as soon as a memorial thereof, as hereinafter de- 35 scribed, has been entered in the register upon the folio constituted by the existing grant or certificate of title of such land.
- 37.** Except as hereinafter otherwise provided, every instrument presented for registration shall, unless a Crown 40 grant, be attested by a witness, and shall be registered in the order of time in which the same is presented for that purpose; and instruments registered in respect of or affecting the same estate or interest shall, notwithstanding any express, implied or constructive notice, be entitled in priority 45 the one over the other, according to the time of registration and not according to the date of each instrument itself; and the registrar, upon registration thereof, shall file the same in his office; and so soon as registered, every instrument, in conformity with the provisions of this Act, shall, for the 50 purposes of this Act, be deemed and taken to be embodied in the register as part and parcel thereof, and such instru-

Registrar may administer oaths.

The register.

How kept.

The day-book: its form and use.

Registration of grants.

And of transfers and other instruments.

Instruments for registration; how to be attested.

Order of registry.

Effect of registration.