

CHAPTER 4 RECORDING OF LAND TRANSFERS

§301. Copies; indexes.

§302. Effect of failure to record.

§301. Copies; indexes. The clerk of courts in each district, upon payment of such fees, if any, as the High Commissioner may fix, shall make and keep in a permanent record a copy of all documents submitted to him for recording which relate to title to real estate in his district and shall comply with regulations issued by the high court, and any law applicable thereto. He shall also keep an index or indexes of such records in such manner as the high court may direct. (Code 1966, § 1023(a); Code 1970, tit. 57, § 11201.)

Source: 57 TTC 4, § 301, modified.

§302. Effect of failure to record. No transfer of or encumbrance upon title to real estate or any interest therein, other than a lease for a term not exceeding one year, shall be valid against any subsequent purchaser or mortgagee of the same real estate or interest, or any part thereof, in good faith for a valuable consideration without notice of such transfer or encumbrance, or against any person claiming under them, if the transfer to the subsequent purchaser or mortgagee is first duly recorded.

Nor shall any transfer of or encumbrance upon title to real estate or any interest therein, other than a lease for a term not exceeding one year, be valid as against any judgment affecting the title unless such transfer or encumbrance is duly recorded prior to the record of the notice of action in which the judgment is rendered. (Code 1966, § 1023(b); Code 1970, tit. 57, § 11202.)

Source: 57 TTC 4, § 301, modified.