

recorded in the registry office, but there is no determination by the registrar, or any other public officer, of the real legal meaning and effect of any one of them. When Cowan conveyed to Davis he had not only to satisfy the latter that Brown had made a will of the land in his favour, but he had also to satisfy him that Jones, the patentee, had duly conveyed the land to Brown. When the widow and children of Davis desire to convey the land to a purchaser, they will have to satisfy him not only that they are respectively the widow and children of the former owner Davis, but also that Cowan duly conveyed to Davis, and that Cowan was the devisee of Brown, and that Brown was the grantee of Jones, and that Jones was the grantee of the Crown. Thus we have a sort of "House that Jack built" story, continually lengthening out with every successive change in the title.

This process of tracing up the ownership must be gone through on every successive transfer or dealing with the land, by sale or otherwise. Now it happens that, in dealing with land, people do not always take care to preserve evidence of all the facts material to the title, and the result is that this evidence is frequently required to be procured after such a lapse of time, that it is very difficult if not impossible to procure it at all.

For example: when Jones conveyed to Brown, perhaps Jones was unmarried; this may have been a fact well known to Brown. He may have known Jones all his life, and the thought of getting any evidence of his being unmarried, would to him seem in the highest degree absurd, and a useless expense besides. But years afterwards when the children and widow of Davis want to convey to Edwards, one can easily see how very difficult it may be to trace up Jones and find out whether, when he conveyed to Brown, he was a single man or not.

But it might be thought, even if Jones were married when he conveyed—after the lapse of twenty years without any claim, Mrs. Jones's dower would be barred; but that question altogether depends on whether Jones, her husband, is living or dead. Her right of action for dower does not arise until her husband's death, and no matter how long he may live after conveying the land to Brown her right to dower would be kept alive until his death and for ten years afterwards. So that the Statute of Limitations is of very little help in getting over these difficulties.