

Act, for the Registration of Titles, and which appear to have been registered at Drummondville, 26 miles distant, on the next day, by which the whole of the lands, which are pretended to have been conveyed within less than two months afterwards, by Dorman, to Willard and Terrill, are stated to be conveyed to Dorman. These latter papers are neither notarial instruments nor under seal, and consequently, could have conveyed no title to lands, under the provisions of the 9 and 10 Geo. IV. c. 77. Nor, is there any proof of the powers of attorney, under which they are pretended to have been so signed, or of the title of the persons who are named therein as the vendors and for whom this Simon French Rankin professes to act as attorney.

The whole of the claim, therefore, of Willard and Terrill, to be regarded as purchasers for a valuable consideration, is founded on the mere production of deeds, purporting to be a conveyance from Ezra Dorman, of whose title there is no evidence—or with regard to whom it may rather be said, it sufficiently appears from the papers produced by themselves, that he had no title whatsoever, and it is clearly proved that he never had possession of any part of the premises to which they relate; and the question submitted to the Court, is whether this be in itself sufficient to entitle Willard and Terrill to the privileges of purchasers for a valuable consideration. There, surely can be no difficulty in saying it is not. An instrument purporting to be a conveyance from one who has neither title nor possession, conveys nothing, either by the Laws of England or of France. A person who would claim the privileges and immunities which belong to a purchaser for a valuable consideration, must shew that he is so, and that the person from whom he purchased, had both possession and title, or at the least, that he had the possession and such a semblance of title as might reasonably have induced any one who had applied the ordinary degree of care in the investigation of it, to consider it as good.

The question would stand thus if there were nothing to create a presumption against the validity of the