

they were *bona fide* purchasers for valuable consideration, without notice of the alleged trust: and as such are entitled to the protection of the registry laws as well as the rules of equity in favour of such purchasers.

1862.
Henderson
v.
Graves.

7. Because as to the *Bryants* they were equitably entitled to the lands conveyed to them, under the said lease and contract for sale therein contained.

8. Because as to the *Bryants* they had the prior and the better equity.

9. Because the said respondent ought to have been left to his remedy, if any, at law, the same not having been impaired by the appellants.

10. Because the said decree doth not direct any allowance to be made to the appellants for their improvements upon the said lands.

Statement.

11. Because the said decree ought not to have charged the said appellants with any rents or profits whatever; or at all events, for any time anterior to the filing of the said respondent's bill in the Court of Chancery against the appellants.

12. Because as to the *Clarks* they had been in possession of their lands for upwards of twenty years before the filing of the respondent's said bill.

13. Because the said decree should have ordered the dismissal of the said respondent's bill with costs.

In support of the decree the respondent assigned the following reasons:

1. The property in question was vested in the defendant, *Henry Smith*, in trust for the respondent, and the other appellants are not, nor is any of them, entitled to protection as purchasers for value without notice.