This chapter considers the various circumstances in which a buyer may become the owner of the goods, notwithstanding that the seller is neither the owner of them, nor sold them with the owner’s consent. In the chapter, disputes concern not the seller but the owner of the goods and the buyer. The chapter presents a case that provides an example of the sort of problems which can arise in such disputes. A common theme in these types of cases is dishonesty, whereby the court will have to decide which of two innocent parties should suffer due to the dishonesty of another. This can arise in many different situations, such as where an innocent buyer buys goods from a seller who turns out to have stolen them or where a person obtains goods on hire purchase and dishonestly sells them before they have been paid for.
12. The transfer of title