

## PREFACE.

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The mystery of the obsolete and forgotten involves the law of real property more than any other part of the law student's work; and most of the solvents of that mystery lie hidden here and there in the year-books, statutes, and old reports, and locked from the average student in a dead and barbarous language. This mystery has been a great embarrassment to me, especially since my attempts to teach the subject; and most of the modern texts and readings have been found to emphasize the last application of the rules or the effect of late American statutes, rather than to expound the original doctrines, without knowledge of which the statutes cannot be understood. Of all the recent publications, Professor Digby's History of the Law on Real Property has been found most helpful.

The following pages have been printed from the notes made from time to time while preparing to conduct exercises in the first course on real property at the University of Michigan, using Blackstone's Commentaries as the text. The design has been to present the great monuments which mark epochs in the various branches of the subject, with only an occasional late example. The prolixity of the originals has often made imperative the alternative to abridge or omit, and abridgment has been preferred. The present is a temporary edition, made to try out the serviceability of such a book by use in class, and trusting to experience to fill the gaps and prune the exuberance of special topics. In this edition several typographical errors in the first impression have been discovered and corrected. The scope of the work has also been extended by numerous additions throughout, and by inserting the chapters on uses, trusts, and powers, which did not appear in the first edition.

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