

REAL PROPERTY SURVEY

⋮⋮⋮ CHESTER H. SMITH ⋮⋮⋮



SURVEY
OF THE
LAW OF REAL PROPERTY

By

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To My Mother

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IX

PREFACE

The object of this book is to present the fundamental principles of the law of real property in such form as to enable the law student to understand and use effectively such principles in the solving of real property problems. The materials are limited in their scope to such problems arising in the modern world and are intended to be primarily analytical. Nor have we forgotten Mr. Justice Holmes's admonition that in the field of real property, "a page of history is worth a volume of logic". Historical concepts are explained and used where such are necessary to the solution and understanding of the cases presented.

It is obvious that a book of this size cannot deal exhaustively with real property law. It is not so intended. However, it is believed that the law student who masters the materials which follow will have a fairly sound foundation for solving problems in this field of the law. On the other hand this material is sufficiently brief so that it can be used effectively for review purposes by those who have studied the subject matter in greater detail.

Citations are reduced to a minimum for the purpose of conserving space, and those which are given are intended merely to refer the reader to an authority which discusses the general subject matter or the specific subject of analysis more in detail. They are not intended to constitute authority for or against the conclusions drawn or the analyses given. An explanation of the citations follows.

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To the University of Arizona grateful acknowledgement is hereby made for granting to me a sabbatical leave of absence for the purpose of preparing this manuscript most of which has been written at 560 Pirineos Ave., Lomas, and 16 Neva, Cuauhtemoc, Mexico City, Mexico.

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Tucson, Arizona
September 1, 1956

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