

Stannery Court Library commonplace bookMSS.84.10

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1817



Title Statement

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Publication Statement

Publisher: Arthur J. Morris Law Library Special Collections

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Profile Description

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Descriptive Summary

Unit ID

MSS.84.10

Unit ID

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Unit ID

/repositories/4/resources/665

Unit Date

1817

Language

English

Extent

1 items

Repository

Arthur J. Morris Law Library Special Collections

Administrative Information

Immediate Source of Acquisition

Gift of Neill H. Alford Jr. in 1984.

Biographical / Historical

The Stannary Parliaments and Stannary Courts were legislative and legal institutions in Cornwall and in Devon (in the Dartmoor area), England. The Stannary Courts administered equity for the region's tin-miners and tin mining interests, and they were also courts of record for the towns dependent on the mines. Executive authority in stannary areas was exercised by the Lord Warden of the Stannaries.

The separate and powerful government institutions available to the tin miners reflected the enormous importance of the tin industry to the English economy during the Middle Ages. Special laws for tin miners pre-date written legal codes in Britain, and ancient traditions exempted everyone connected with tin mining in Cornwall and Devon from any jurisdiction other than the Stannary Courts in all but the most exceptional circumstances.

As the tin mines of Cornwall and Devon lost their economic importance during the 18th and 19th centuries, their political institutions also waned in power and ultimately faded away, until recent efforts to restore them.

Charles Fearné was born in London in 1742, and educated at Westminster School. His 1772 work, *Essay on the Learning of Contingent Remainders and Executory Devices*, is deemed to have done "more than any other to preserve the Rule in Shelley's Case as black letter law (as distinguished from a rule of construction)."

Francis William Sanders was born in 1769. After some years of pupillage to John Stanley, attorney-general of the Leeward Islands, and M.P. for Hastings, 1784–1801, he began practice as a certificated conveyancer. Sanders was author of a professional treatise of deservedly high repute entitled *An Essay on Uses and Trusts, and on the Nature and Operation of Conveyances at Common Law, and of those which derive their effect from the Statute of Uses*, London, 1791, 1799.

Scope and Contents

This commonplace book, written in 1817, contains abstracts from the sixth edition of Charles Fearné's *An Essay on the Learning of Contingent Remainders and Executory Devices* edited by Charles Butler, and from the third edition of Francis Williams Sanders' *An Essay on Uses and Trusts*. It is in at least two hands and may have been written over a period of years.

The volume came from the Library of the Stannary Court in Wales. It has the bookplate of John Lucius Dampier, an English barrister who was Vice-Warden of the Stannaries Court. The Stannary Courts date from

the thirteenth century when they were established by King John to resolve issues of ownership and control of mining. In 1896 they were abolished and their responsibilities transferred to new county courts.

Keywords

Commonplace books

Wales -- History -- 19th Century

Fearne, Charles, 1742-1794

Sanders, Francis William, 1769-1831

Dampier, John Lucius, 1792-1853

Description of Subordinate Components

Commonplace Book from Stannery Court Library, Wales

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Unit Date 1817

Manuscripts MSS 84-11

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