Survey Of The Law Of Property

Ralph E Boyer; Chester Howard Smith

Roman law thus began to flesh out some formative distinctions about property ownership which would subsequently form the basis of the modern Western legal tradition. Developments in English Common Law. The seminal case in the law of lost and found is Armory v. Delamirie (1722), 1 Strange 505, 9 ER 664, a tort case tried in the Court of King’s Bench, England, in 1722. From this brief survey of the history of the law of lost and found, we can see that the concept of “finders keepers” does enjoy legitimacy in the law albeit with some important qualifications. Notes: 1. Dean Lueck, “First Possession as the Basis of Property,” in Property Rights: Cooperation, Conflict, and Law, eds. Terry L. Anderson and Fred S. McChesney (Princeton: Princeton University Press, 2003), 200. There are two types of property: real property and personal property. Most of the legal concepts and rules associated with both types of property are derived from English common law. Modern law has incorporated many of these concepts and rules into statutes, which define the types and rights of ownership in real and personal property. Personal property, also referred to as movable property, is anything other than land that can be the subject of ownership, including stocks, money, notes, patents, and copyrights, as well as intangible property. Real property is land and ordinarily anything erect This is a summary report of a survey of property law academics conducted in March and April 2013. In outline, the survey was designed to provide information about the ways that property law research is conducted today, and how researchers would classify their own approach to research. We invited responses from anyone who considered that their research fell within property law as they understand it. For the purposes of the survey we asked respondents to place their research approach into a particular category, and also into substantive areas. Selecting categories is problematic and we debated which categories to provide as options, and whether to offer any definitions of them.