

**Property in its Historical Context 2009-10**  
Prof. Philip Girard (Section B)

**Class times: Fall Term**

Monday: 8:30-10:00, Room 204

Wednesday: 8:30 – 10:00, Room 204

**Office hours:** Monday, 3:30 – 5:00 or by appointment

**Required texts:**

Casebook: Girard, Reynolds & Woodman, *Property in its Historical Context, 2009-10*

Compulsory text: Bruce Ziff, *Principles of Property Law*, 4<sup>th</sup> ed. (2006)

**Course description:**

Property law is about the allocation of resources in society. Each society recognizes various sets of rights or claims in differing types of resources, and establishes both macro-level and micro-level rules about how these rights are allocated. An example of a macro-level rule would be the prohibition on polluting watercourses, found in both common law and various pieces of environmental legislation. The goal of this rule is to ensure that water quality is maintained at a certain standard for the public at large. An example of a micro-level rule would be the one determining who, as between the finder of a lost object and the owner of the land where it was found, should have better title to the object.

Much of this course is taken up with micro-level matters: what different sets of property rights exist in what kinds of assets, and how these can be created, transferred, and in some cases extinguished. But we begin with a study of the nature of property rights in general, and of the justifications for one form of property: private property.

**Evaluation:**

December exam worth 30% ('fail-safe') + 70% final in April. Both exams are closed-book, though you will be given a copy of the table of contents of the casebook and of any legislative provisions covered during the term.

**Students with Special Needs/Requests for Accommodation**

Professor Pothier is the faculty advisor to students with disabilities. Students wishing to discuss in-class accommodation or in-class study assistance needs should see Professor Pothier.

Students seeking special accommodation with regard to any aspect of course evaluation (including exam deferrals and extensions to deadlines) must make an application to the Studies Committee. Academic regulations require such requests to be made as soon possible and, in any event, no later than the date on which the exam is to be written or the paper or other assignment is to be submitted. Students should contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information about requests for accommodation and about the Studies Committee process.

**PROPERTY SYLLABUS – FALL 2009 (Section B – Girard)**

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*office hours: Mon., 3:30-5:00*

<b>Date</b>	<b>Topic</b>	<b>Readings</b>
Mon. Sept. 14	Introduction	CB 1-12; Ziff 1-8
Wed. Sept. 16	Private property: justifications and alternatives	CB 12-34; Ziff 9-42
Mon. Sept. 21	Classifications of property	CB 35-55; Ziff 68-72
Wed. Sept. 23	Classifications of property	CB 55-77; Ziff 42-51
Mon. Sept. 28	Information & ideas <b>(joint*)</b>	CB 78-95
Wed. Sept. 30	Literary and artistic property	CB 95-129
Mon. Oct 5	Literary and artistic property	CB 129-153
Wed. Oct. 7	Personality as property	CB 154-169
Mon. Oct. 12	Thanksgiving Day	-----
Wed. Oct. 14	Personality as Property	CB 169-179
Mon. Oct. 19	Review	-----
Wed. Oct. 21	Property Claims: Procedural Context <b>(joint*)</b>	CB 180-199
Mon. Oct. 26	Possession	CB 199-210; Ziff 117-121
Wed. Oct. 28	Finders	CB 211-224; Ziff 133-140
Mon. Nov. 2	Finders	CB 224-241
Wed. Nov. 4	Bailment	CB 242-252; Ziff 296-310
Mon. Nov. 9	Bailment	CB 252-261
Wed. Nov. 11	Remembrance Day	-----
Mon. Nov. 16	Transfer of personal property	CB 262-269 and 290-291
Wed. Nov. 18	Transfer of personal property	CB 269-271
Mon. Nov. 23	Transfer of personal property	CB 272-278
Wed. Nov. 25	Gifts	CB 279-291; Ziff 140-147
Mon. Nov. 30	Gifts	CB 292-297; Ziff 148-150
Wed. Dec. 2	Fixtures	CB 298-300; Ziff 102-107
Mon. Dec. 7	Review/Discussion of Exam	

**\* Joint classes will be held in room 105**