

PROPERTY

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CLASS 9(A):
PROTECTING THE RIGHT TO EXCLUDE – CRIMINAL & CIVIL
REMEDIES

Class Outline

- Criminal Laws
- Civil Actions

Criminal Laws & Property

	Real	Personal (chattel)
Criminal	Trespass, burglary, arson	Larceny (incl. embezzlement) crim. mischief
Civil	Trespass, ejectment, nuisance	Replevin, conversion(trover), trespass to chattels

Rights of Action at Common Law for Personal Property Owners

1. Trespass *de bonis asportatis* – forcible carrying off of goods
2. Detinue – unlawful detention of goods
3. Trover (Conversion) – wrongful conversion of a plaintiff's goods to his own use
4. Replevin – only right that actually involves getting property back
5. Trespass to chattels – interference or injury to property that remains in possession of plaintiff