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Project : « *The possibility of the unification of private law : roman law, ius commune and new ius commune* »

**HISTORICAL INTRODUCTION TO SWISS PRIVATE LAW :
FROM ROMAN LAW TO MODERN CODIFICATION**

**LESSON III (25th APRIL 2023) : QUESTIONNAIRE
SWISS CIVIL LAW (« CIVIL CODE »)**

As preparation for the next lecture and discussion, please answer the following questions by doing research (in libraries and/or on the web) and by discussing with your colleagues :

1. Which links can you make by reading the Roman and Swiss legal sources below ?

Paulus (II-III c. AD) Digest 41.2.3.9 (VI c. AD)

« If I deliver the thing to another person, I lose possession. For it is certain that one only possesses until one voluntarily leaves, or is dispossessed by force. »

Gaius (II c. AD) Digest 41.1.9.6 (VI c. AD)

« Similarly, if goods contained in a granary are sold, these goods are transferred to the buyer as soon as the keys to the granary have been given to him. »

Art. 922 Swiss Civil Code (1912)

¹ Possession is transferred by the delivery of the object itself or of the means by which the recipient may gain effective control of it.

² Transfer is complete once the transferee is able to exercise effective control over the object with the consent of the prior possessor.

2. Which provisions of the Chinese Civil Code can you relate to the legal sources above ?