different times. in the Roman Empire, adoption in most of its cases was political in nature, whereas in modern times people's adoption has a lot of different types.

In most cases in our time, adopted children are once abandoned or once lived in a dysfunctional family. In our time, adoption can be divided into several types, but the closest to Roman time is the option of benefit through adoption. In many cases, in our time, parents adopt children only because of the subsequent benefit (the benefit for adoption is probably the only factor that was present during Roman time, but it is also familiar to us) because after receiving the status of having a large family, they receive a certain amount of money from the state every month, and often this factor affects on the adoption of the child.

The types of adoption that are less close to the Roman times are: the desire to help the child, (as a rule, believing families use this option); the inability to have their own children; when a woman is lonely she makes up her loneliness by adopting a child. There are such situations when parents already have a child, but they want to make their family more full, and they decide to adopt another child; there are also cases of adoption of the child after the death of his own. The most popular in our time is the option of adopting a child for his benefit, to give him an education, to help him live a long and happy life.

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ACQUISITION OF PROPERTY IN ROMAN PRIVATE LAW AND UKRAINIAN CIVIL LEGISLATION

Roman law significantly influenced the subsequent development of the law in different countries and Ukraine is not an exception. Some rights prescribed in Roman law became the basis for the creation of Ukrainian law system.

From the very beginning the right of private property has meant the exclusive right of a person to own, use and dispose of a thing in one's interest.

However types of ownership in these two states are different. If in Rome there were four types: quirite property, bonitar (pretors) property, provincial property, peregrin property, in Ukraine there are only three: property of the Ukrainian people, collective property and private property.

The Romans called the property right «exclusive», because it belonged only to the owner, who didn't share it. In fact, the right of property has always been subject to certain restrictions. As one of the manifestations of the ruling class, it could be restricted in the interests of the state, society, in favor of servitudes, neighbors, mortgagee and other rights of people's things [1, pp. 10-12].

In Roman law rules of ownership were set in the Law of 12 Tables, and in Ukrainian law they are indicated in the Civil code. In both cases a very important component is the chapter about the acquisition of property.

According to Roman law the acquisition of property was divided in two main groups: civil and natural acquisition that became the prototypes for the further division of the ways of acquiring ownership: the original(initial) and derivative. The last division is relevant to the present day.

Civil acquisition was simply acquisition according to the ius civile. In this case only Roman citizens with a full capacity(caput) and persons with ius commerci in theirs capacity could use this type of acquisition of property. Natural acquisition was formed on the ius gentium and wasn't burdened by any formalities [2, p. 28].

Original acquisition occurred when there was obtained ownership for the property which had never previously been the property of anyone or had been, but had ceased to be the property of anyone.

For derivative methods of acquisition is general principle: «No one can transfer more rights to another person than he himself has». Apart from that, derivative acquisition is possible if there is existence of the right of ownership of another person. [2, pp.29-30]

In addition, I can say that original acquisition emerges independently of somebody's ownership, and derivative acquisition depends on the other's ownership.

The original ways of acquiring property rights in Roman and Ukrainian law:

Occupation(occupatio) – the seizure of ownerless things. A thing that does not have an owner, becomes the property of the one who seizes it first with the intention of appropriating. According to the article 335 of the Civil code of Ukraine: «ownerless immovable things are taken into account by the body that carries out state registration of rights to immovable property, at the request of the local government in whose territory they are located» [3, art. 335].

Accession(accessio) – a person acquired property automatically and became the owner of another thing in respect of being already the owner of the first, which was consequently regarded as the principal thing, and to which the other was only accessory. Property might be acquired by accession, in the special forms of avulsion, adjunction, confusion, commixture, specification. Some of these forms can be regarded as separate original ways of acquiring property.

Adjunction – if an independent thing joins another thing in such a way that it becomes part of it, by virtue of the loss of independent existence, it becomes the property of the owner of the main thing, and the owner of the main thing is obliged to pay the double value to the owner of the attached thing.

Confusion – it is impossible to indicate which of the things consumed the other. There is a right of common ownership of persons who had the right of ownership of each of the things before confusion.

Specification – processing one thing into another. By Justinian's law, if, despite the processing of a thing, it is possible to return it to its original form, then it belongs to the owner of the material, but if not, to the processor where all losses are compensated. According to the article 332 of the Civil code of Ukraine: «a person who has voluntarily processed someone else's property does not acquire ownership of the new thing and is obliged to reimburse the material owner for its value» [3, art.332].

Acquisition of fruits – fruits are the property of the person to whom the fertile land belongs, excepting the case of usufruct. In Ukrainian law a person who has collected berries, medicinal plants, caught a fish or received another thing in a forest, pond, etc., is their owner, if it acted in accordance with the law, local custom or the general permission of the owner of the relevant land plot. [3, art. 333]

Acquisition by prescription of ownership (acquisitive prescription) – recognition by the owner of the person who has actually mastered the thing within the statutory period. In the epoch of the XII Tables, the acquisitive prescription (usucapio) was established for land plots – 2 years, for other things – a year. Terms of acquiring the right of ownership according to Justinian's prescription: fair possession of a thing on a legal basis, tenure of 3 years for movables, 10 and 20 years for immovables; the ability of things to acquire by prescription, which did not have stolen and stolen items. In Ukrainian law a person who conscientiously took possession of another's property and continues to openly, continuously own real estate for ten years or movable property – for five years, acquires ownership of this property (acquisitive prescription), unless otherwise established by this Code. [3, art. 344]

Thesauri inventio or treasure trove – if something was found by a man on his own land, it went to him; if it was found on the land of another, half went to the

landowner. According to the article 343 of the Civil code of Ukraine: «In case of discovery of a treasure by a person who excavated or searched for valuables without the consent of the owner of the property in which he was hidden, the owner of the property acquires the right of ownership of the treasure and in the case of the discovery of a treasure, which constitutes a cultural value in accordance with the law, the state acquires the ownership right to it» [3, art. 343].

The derivative ways of acquiring property rights:

Mancipation(mancipatio) – is a fictions sale established in the Twelve Tables according to which special formal words had to be pronounced involving at least eight persons, transferor, transferee, libripens or a balance-holder, and minimum five witnesses who could be only Roman citizens above the age puberty. [2, p.29] According to the article 334 of the Civil code of Ukraine: «Ownership of the property under the contract, which is subject to notarization, arises from the acquirer from the moment of such certification or from the moment when the court has acquired legal force on the recognition of the contract, not notarized, valid» [3, art. 334].

In jure cessio – the fictious trial, where the acquirer (the alleged plaintiff) claimed that he owned some controversial thing. The alien (allegedly the defendant) at the same time was silent or agreed with the plaintiff. Pretor ascertained the right of the plaintiff and issued the corresponding document [4, p. 315].

Tradition(traditio) – the delivery by one person to another of the actual possession of a thing in order to transfer ownership of it. Elements: transfer of ownership of a thing by the will of the alienator; the right of transferring the thing to its alienation; the agreement of the parties that ownership is delivered in order to transfer ownership of the thing [4, p. 315].

In Ancient Rome and Ukraine, there are other derivative ways of acquiring property rights: a) by a court decision when it considered claims about the division of inheritance, common property or a disputed border, etc.; b) by law – in the form of punishment for unlawful arbitrariness, for non-payment of fees, etc.

Along with the acquisition in Rome there could be the loss of property right in the following cases: a) if the item dies physically (for example, broken) or legally (withdrawn from circulation); b) if the owner waives his right (whether it will be accompanied by transfer of the right to another person or without such transfer, for example, the owner simply throws out his thing); c) if the owner is deprived of the right besides his own will (due to confiscation of the thing, acquisition of the right of ownership to it by another person due to long-term possession, etc.). In Ukrainian law there are some more rules added: redemption of cultural heritage monuments, the compulsory alienation of land plots of private property, other objects of real estate

located on them, with the motives of public necessity in accordance with the law and the termination of the legal entity or the death of the owner [5, pp. 147-148].

Looking at all the above facts, we can conclude that the Ukrainian right to acquire property is based on Roman law. In many cases, the Civil Code simply specifies and complements the already known laws, taken from Ancient Rome. Actually, it is not surprising, because over time, new conditions have emerged for the joint existence of people in this world.

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DIFFERENCE AND SIGNIFICANCE OF ULPIAN'S ACTIVITIES AMONG OTHER ROMAN LAWYERS

The treatises of Ulpian, as a historical source, had a number of advantages compared with the works of lawyers of a purely «academic» character of the classical period of the Roman Empire.His works cover a much wider range of problems and is more advantageous in terms of selected material.

A prominent feature of the lawyers of that time is that they tried to disassemble the application and effect of a certain rule of law in a situation, regardless of whether or not such a situation would exist and whether some law institute has a practical application.They were more interested in not typical, but complex and complicated tasks.Because of this, when we investigate the works of lawyers of the classical period, it is difficult to understand which situation was typical and which was not.

In the treatises of Ulpian, on the contrary, the casuist principle was the main in writing the works of the classical period. They provided practical guidance to provincial governors, and considered cases that were widespread in judicial and administrative activities.For example, the treatise «About the responsibilities of the