

BOOK SECOND.

TITLE FIRST.

OF THE DISTINCTION OF THINGS.

RESOLVED :—

53. That after article 15 the following be inserted :

16. Constituted rents and all other perpetual or life-rents, are also moveable by determination of law; saving those resulting from emphyteusis which are immoveable.

54. That after article 19 *bis*, the following be inserted :

20a. Where the sum for which the redemption of rents, other than life-rents, may take place, is neither fixed by law nor validly agreed upon, the rents are redeemed by the repayment of the original price in capital, or of the value in money put by the parties upon the things which formed the consideration of the rents so created. If such price or such value do not appear, the redemption is effected by the payment of a sum sufficient to produce a like rent for the future, at the legal rate of interest at the time of the redemption.

Special provisions concerning the redemption of the rents substituted for seigniorial rights, are contained in chapter forty-one of the Consolidated Statutes for Lower Canada."

20b. Life-rents and other temporary rents, at the termination of which no reimbursement of the capital is to take place, are not redeemable at the option of either of the parties alone.

In the twelfth title of the third book, a mode is provided for the redemption of life-rents, when it takes place forcibly under writ.

Temporary rents, other than life-rents, and not subject to reimbursement of the capital, are estimated in like cases, in the same manner as life-rents.

TITLE SECOND.

OF OWNERSHIP.

RESOLVED :—

55. That article 16 be struck out and the following inserted instead thereof:

16a. If a river or stream, whether navigable or not, carry away by sudden force a considerable and distinguishable part of an adjacent field and bear it towards a lower or opposite bank, the proprietor of the part carried away may reclaim it; but he is obliged, on pain of forfeiting his right, to do so within a year, to be reckoned from the possession taken of it by the proprietor of the land to which it has been united.

TITLE