

## ACTIONS.

- 5.—If the rent reserved upon a *bail emphytéotique* is in arrear and unpaid during three years, it is a cause for the resiliation of the lease. Jamson vs. Woolsey, 1846, No. 667.
- 6.—If a *donataire* wilfully frustrates the objects intended to be effected by the donation, his misconduct is a cause of resiliation. Lagacé vs. Courberon, 1817, No. 46.
- 7.—An action en restitution, and rescision may be maintained in the case of an exchange of real estates. Laperrière vs. Thibodeau, 1821, No. 996.

## Sec. XIX.—Retrait.

## ACTIONS.

- 1.—The *Retrait conventionnel* is not *de droit*. It is matter of convention or must be stipulated in the original contract of concession or otherwise no action en retrait can be maintained. Desprès vs. Fortin, 1811, No. 259.
- 2.—Rent in arrear for three years on a *bail emphytéotique* is a cause of resiliation and *retrait*. Sanson vs. Woolsey, 1816, No. 667.

## Sec. XX.—Revendication.

## ACTIONS.

- 1.—Where the King claims possession in right of the crown in an action of revendication or information of intrusion, the defendant must prove title on himself specially and if he does not judgement will be entered against him. Rex vs. Lelièvre, 1812, No. 201.
- 2.—Revendication for property attached and tortiously abstracted can be maintained. Merkley vs. Cuvillier, 1812, No. 220.
- 3.—Goods sold for cash and not paid for when taken away may be followed and recovered from the purchaser in an action of revendication if it be instituted in 8 days and the goods are in identical state and condition in which they were taken away. Aylwin vs. McNalley, 1812, No. 340.
- 4.—*Lettres de rescision* are not required to set aside a sale made by a Tutor on behalf of his ward without the authority of an *assemblée de parents*. Normandeau vs. Amblement, 1813, No. 590.
- 5.—In revendication if the defendant is in possession as a lessee of the property demanded he must plead his lease by *exception dilatoire*. Clément vs. Hamel 1817, No. 77.
- 6.—An action of revendication can be maintained for the recovery of title deeds. Perrault vs. Hausseman, 1817, No. 513.