

60e. In the sale of moveable things the right of dissolution by reason of non-payment of the price can only be exercised while the thing sold remains in the possession of the buyer ; without prejudice to the seller's right of revendication as provided in the title *Of Privileges and Hypothecs*.

Cout. de Paris, 170.—1 Bourjon, p. 145, secs. 1, 2,—Trop-
long, *Vente*, p. 531, *Ad. to art.* 1654.—Trop-*long, Priv. et Hyp.*,
no. 395.—C. V. 1187.

61. In the sale of moveable things the buyer is obliged to take them away at the time and place at which, by special agree-
ment or by the rules declared in the title *Of Obligations*, they
are deliverable ; and after having been put in default of so doing
by a judicial demand, he is liable in damages to the seller who
may moreover, after a delay to be fixed by the court, remove
the things at the buyer's risk and costs.

Pothier, *Vente*, 290-1.—C. Oblig. ch. 8, art. 171.

(Suggested amendment.)

In the sale of moveable things the buyer is obliged to take
them away at the time and place at which they are deliverable.
If the price have not been paid, the dissolution of the sale takes
place, in favor of the seller, of right and without the intervention
of a suit, after the expiration of the delay agreed upon for
taking them away, or if there be no such agreement, after the
buyer has been put in default in the manner provided in the
title *Of Obligations* ; without prejudice to the seller's claim for
damages.

2 Troplong, *Vente*, 677, *et seq.*—1 Duvergier, 474.—4 Zach.
p. 305, *notes* 1, 2 ; p. 306, *notes* 3, 4.—C. N. 1657.—6 Marc.
p. 296.—16 Duranton, 87.—C. Oblig. ch. 6, arts. 87, 88, 89,
and art. 171.

CHAPTER SIXTH.

OF THE DISSOLUTION AND OF THE ANNULING OF THE CONTRACT OF SALE.

62. Besides the causes of dissolution and of nullity already
declared in this title, and those which are common to contracts,
the contract of sale may be dissolved by the exercise of the
right of redemption, or annulled by reason of the lowness of
the price.

Domat, *liv. 1, tit. 2, sec. 12, Intr. art. and no. 6.*—Pothier,
Vente, nos. 330, 385.—C. N. 1658.

(Suggested amendment.)

Besides the causes of dissolution and of nullity already
declared in this title, and those which are common to contracts,
the contract of sale may be dissolved by the exercise of the
right of redemption.

SECTION I.

OF THE RIGHT OF REDEMPTION.

63. The right of redemption stipulated by the seller entitles
him to take back the thing sold upon restoring the price of it,
and reimbursing to the buyer the expenses of the sale and the
costs of all necessary repairs, and of such improvements as
have increased the value of the thing, to the amount of such
increased value.

The seller cannot have possession of the thing until he has
satisfied all these obligations.

Domat, *loc. cit. no. 6.*—Pothier, *Vente*, 385, 411, 421-3-4-6.—
2 Troplong, *Vente*, 762.—6 Marc. p. 307-8.—C. N. 1659, 1673.