

SCHEDULE.

RESOLUTIONS

Containing the amendments to be made in the printed
ROLL of the Civil Code of Lower Canada, and
referred to in the foregoing Act.

BOOK III.

TITLE THIRD.

OF OBLIGATIONS.

RESOLVED—

1. That article 25 be struck out and the following inserted instead thereof:

25. A minor is not relievable from the stipulations contained in his marriage contract, when they have been made with the consent and assistance of those whose consent is required for the validity of his marriage.

2. That article 29 be struck out and the following inserted instead thereof:

29. When all the formalities required with respect to minors or interdicted persons for the alienation of immoveable property, or the partition of a succession, have been observed, such contracts and acts have the same force and effect as if they had been executed by persons of the age of majority and free from interdiction.

3. That article 31 be struck out and the following inserted instead thereof:

31. Persons of the age of majority are not entitled to relief from their contracts for cause of lesion only.

4. That article 44 be struck out and the following inserted instead thereof:

44. A contract for the alienation of a thing certain and determinate makes the purchaser owner of the thing by the consent alone of the parties, although no delivery be made.

The foregoing rule is subject to the special provisions contained in this code concerning the transfer and registry of vessels.

The safe-keeping and risk of the thing before delivery are subject to the general rules contained in the chapters *Of the effect of obligations* and *Of the extinction of obligations* in this title.

5. That after article 45 the following be inserted:

46. (42.) The rules contained in the two last preceding articles, apply as well to third persons as to the contracting parties in contracts for the transfer of immoveable property, subject to the special provisions contained in this code for the registration of titles to and claims upon such property.

But if a party oblige himself successively to two persons to deliver to each of them a thing which is purely moveable property, that one of the two who has been put in actual possession is preferred and remains owner of the thing, although his title be posterior in date; provided, however, that his possession be in good faith.

6. That after article 58, the following be inserted:

60. (65.) No contract or payment can be avoided by reason of any thing contained in this section, at the suit of any indivi-