

c) as soon as the eleventh month has elapsed, that is to say from the 1st. December 2488, A has an option to buy or not the fan by payment of 10 baht; as a promisee (Draft Book III s. 396 to 398), he can do it or not; ^{he does it if he notifies his intention to buy (s. 397) or} if he pays the price of 10 baht becomes the owner of the fan;

(specific performance);
sell the fan to
anyone or pledges
it to a third person, sect.
not take it as
an offence, but
it is a transfer
and has the same
as an option: that
A can be sued
for it in all these
cases for the payment of
the full value
(price); the third
person having acquired
(or received) has a
title. (1)

b) if A, as long as he is a lessee, sells, the fan to another person, he commits the offence of criminal misappropriation (Penal Code s. 314); besides, the Company is entitled to determine the contract (Draft Book III s. 517, 520) since A has used the property hire for other purposes than those of the contract and A will be liable to the Company for the return of the fan or its value. If A would have pledged the fan to another person, the contract would be void under

section 789 second paragraph. ^{and the third person}
~~as a purchaser or receiver of the fan, he would have no good title but would receive compensation.~~
~~as soon as A has paid the eleventh~~
~~rent (or, if agreed that rents are paid in~~
~~advance, as soon as the eleventh month of~~
~~hire has elapsed), A is no longer a lessee;~~
~~he becomes a possessor of the fan, with the~~
~~benefit of a promise of sale (option); in~~
~~this condition, he has notwithstanding no~~
~~right to sell or pledge a thing which has~~
~~not been delivered to him for the purpose~~
~~of ownership; if he does so, he commits~~

advance, as soon as the eleventh month of hire has elapsed), A is no longer a lessee; he becomes a possessor of the fan, with the benefit of a promise of sale (option); in this condition, he has notwithstanding no right to sell or pledge a thing which has not been delivered to him for the purpose of ownership; if he does so, he commits

(1) After
in the English jurisprudence, "even where the property has not passed
A], the so-called bona fide purchaser, can give a good title to a person
or pledgee dealing with him in good faith and without notice of the rights
of the original owner". From the illustrations above it appears that this will not happen
A has disposed of the thing for a third person, but the time when A was a pledgee; we are
to admit that A then commits a criminal offence on account of the
law on criminal misappropriation (Penal Code) and that the title was by A the no