

123. – If the fraud is only incidental, that is to say, it has merely induced a party to accept more onerous terms than would otherwise have done, such party can only claim compensation for damage and cannot avoid the act.

*(Walton Vol. I p. 255)*

124. – In bilateral juristic acts, the intentional silence of one of the parties in respect to a fact or quality of which the other party is ignorant, is deemed to be a fraud if it is proved that, without it, the act would not have been made.

*(Br. 94)*

125. – If both parties acted with fraud, neither of them can allege it, to avoid the act or to claim compensation.

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126. – Duress in order to make an act voidable must be such that it induces in the person affected by it a founded fear of injury to his person, his family, or his property, imminent and equal, at least, to that which he fears from the act extorted.

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