

(314 No. 4) accrues to the lessor of immovable property or of a floating house or of a house boat, who has a preferential right over the movables which are on, or in the property leased. This right does not extend to movables which have been found or which are the proceeds of any offence; or which the lessor knew or ought to have known were not the property of the lessee.

The preferential right of the lessor is for the payment of the rent and of any other monies which may be due by the lessee to the lessor in connection with the lease.

319. — In case of lease of agricultural land, the preferential right of the lessor extends to such fruits of the land as are in the possession of the lessee.

320. — If the lease is transferred or there is a sublease, the preferential right of the lessor extends :

1) To the movables brought by the transferee or sublessee.

2) To the monies which may be due by the transferee or sublessee to the original lessee by reason of the lease.

A payment of rent made in advance by the sublessee cannot be set up against the original lessor.

321. — The preferential right arising out of the obligation based upon sale of immovable property

(S. 314 No. 4) accrues to the lessor of immovable property or of a floating house or of a house boat, who has a preferential right over the movables which are on, or in, the property leased. This right does not extend to movables which have been found or which are the proceeds of any offence; or which the lessor knew or ought to have known were not the property of the lessee.

The preferential right of the lessor is for the payment of the rent and of any other monies which may be due by the lessee to the lessor in connection with the lease.

319.—In case of lease of agricultural land, the preferential right of the lessor extends to such fruits of the land as are in the possession of the lessee.

320.—If the lease is transferred or there is a sublease, the preferential right of the lessor extends:

1) To the movables brought by the transferee or sublessee.

2) To the monies which may be due by the transferee or sublessee to the original lessee by reason of the lease.

A payment of rent made in advance by the sublessee cannot be set up against the original lessor.

321.—The preferential right arising out of the obligation based upon sale of immovable property

(S 314 No. 5) is for the price and accessories and is over such property.

322. — The preferential right arising out of the mortgage (S. 314 No. 5) is described in the part of this Code relating to Mortgage.

323. — The preferential rights arising out of sale of movable property, deposit, carriage, lodging in an inn, agency, pledge, endorsement of warrants, warehousing (S. 314 No. 1) are extinguished if the creditor gives up possession of the movable property which is subject to his preferential right.

324. — The preferential rights arising out of preservation of property or out of hire of work (S. 314 No. 2 or 3) can be exercised :

1) over a property which is movable, as long as the ownership of such property remains in his debtor.

2) over a property which is immovable, even though the ownership of such property has been transferred to a third person, provided that the creditor has had his preferential right registered before the transfer, not later than one month from the act of preservation or from the termination of the work, as the case may be.

325. — The preferential right arising out of the hire of immovable property (S. 314 No. 4) can be exercised on movables so long as they are still on, or in, the immovable property.

(S 314 No. 5) is for the price and accessories and is over such property.

322.—The preferential right arising out of the mortgage (S. 314 No. 5) is described in the part of this Code relating to Mortgage.

323.—The preferential rights arising out of sale of movable property, deposit, carriage, lodging in an inn, agency, pledge, endorsement of warrants, warehousing (S. 314 No. 1) are extinguished if the creditor gives up possession of the movable property which is subject to his preferential right.

324.—The preferential rights arising out of preservation of property or out of hire of work (S. 314 No. 2 or 3) can be exercised :

1) over a property which is movable, as long as the ownership of such property remains in his debtor.

2) over a property which is immovable, even though the ownership of such property has been transferred to a third person, provided that the creditor has had his preferential right registered before the transfer, not later than one month from the act of preservation or from the termination of the work, as the case may be.

325.—The preferential right arising out of the hire of immovable property (S. 314 No. 4) can be exercised on movables so long as they are still on, or in, the immovable property.