

CHAPTER III.

EFFECTS AFTER PERFORMANCE.

704. — The surety who has performed the obligation is entitled to reimbursement from the debtor and is subrogated to the rights of the creditor against the debtor.

But he cannot exercise such rights to the injury of the creditor.

705. — In addition to the defences which the surety has against the creditor, he can also set up defences which the debtor has against the creditor.

706. — The surety who neglects to set up against the creditor defences of the debtor forfeits his right to reimbursement by the debtor to the extent of these defences, unless he proves that he did not know of such defences and that his ignorance was not due to his fault.

707. — If the surety does not inform the debtor that he has performed the obligation and the debtor, in ignorance, performs it, the surety is not entitled to reimbursement by the debtor.

The surety has only an action for undue enrichment against the creditor.

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