

DIVISION III.

POSSESSION.

TITLE I.

General Provisions.

95. — Possession of a thing is the fact of holding on his own account a thing, or otherwise exercising power or control over it, by a person called the possessor.

Possession may be exercised by the possessor either directly or through another person, hereafter referred to as his "representative", who is under an obligation to return the thing to the possessor.

In case of *property in genere* which is not identified, the person who holds such property or exercises power or control over it is always deemed to be direct possessor of such property notwithstanding the obligation, if any, under which he is, to deliver such property or its equivalent to the original possessor.

Can. 2192. F. 2228. G. 854, 855, 868. I. 685 J. 180, 181. S. 919, 920.

Illustrations : — A is the possessor of the waste land on which he has settled as well as of the shed he has built on it; but in the case of the waste land he is only possessor as long as he has not been granted a land certificate by the Government ; in the case of the shed he is at the same time possessor and owner.

B is the possessor of the goods he has stored in a warehouse; C the warehouseman is his representative.

DIVISION III.

POSSESSION.

TITLE I.

General Provisions.

95.—Possession of a thing is the fact of holding on his own account a thing, or otherwise exercising power or control over it, by a person called the possessor.

Possession may be exercised by the possessor either directly or through another person, hereafter referred to as his "representative", who is under an obligation to return the thing to the possessor.

In case of *property in genere* which is not identified, the person who holds such property or exercises power or control over it is always deemed to be direct possessor of such property notwithstanding the obligation, if any, under which he is, to deliver such property or its equivalent to the original possessor.

Can. 2192. F. 2228. G. 854, 855, 868. I. 685 J. 180, 181. S. 919, 920.

Illustrations :—A is the possessor of the waste land on which he has settled as well as of the shed he has built on it ; but in the case of the waste land he is only possessor as long as he has not been granted a land certificate by the Government ; in the case of the shed he is at the same time possessor and owner.

B is the possessor of the goods he has stored in a warehouse ; C the warehouseman is his representative.