

6. The contract is *express* when its terms are openly mentioned or written down at the time of making.

7. A contract is *implied* when the law presumes the parties to have made it, although the terms were not openly expressed.—Thus anyone who undertakes any office or employment impliedly contracts with the principal or employer to perform it with integrity, diligence and skill, and he also impliedly contracts to do whatever is fairly within the scope of his employment.

8. ELEMENTS.—In the Province of Quebec, four elements are required for the validity of a contract:

1°. Parties legally capable of contracting; there can be no contract without parties.

2°. Such parties' consent or mutual assent legally given, without which there can be no contract.

3°. A subject matter of contract or its object.

4°. A lawful consideration or matter upon which the consent or mutual assent reposes.

9. Parties competent to contract are all those not excepted by law.

10. Are excepted: minors, that is, persons who have not yet reached the age of twenty-one years.

11. Article 1005 of our Code says that minors carrying on business as bankers, traders or mechanics are, when acting as such, capable of being parties to a contract, as fully as persons having attained majority, being in this case subject to the same obligations and