

that in any action afterwards brought the debtor make proof that he had the money or thing due ready for the payment at the time and place when and where the same was payable.

19. That article 205 be struck out and the following inserted instead thereof:

205. That which the creditor receives from a surety as a consideration for releasing him from his suretyship is not to be imputed in discharge of the principal debtor, or of the other sureties, except, as regards the latter, in cases in which they have a recourse upon the one released, and to the extent of such recourse.

20. That article 227 be struck out and the following inserted instead thereof:

227. A notarial instrument received before one notary is authentic, if signed by all the parties.

If the parties or any one of them be unable to sign, it is necessary to the authenticity of the instrument that it be received before one notary in the actual presence of another subscribing notary or of a subscribing witness.

The witnesses must be males, not less than twenty-one years of age, of sound mind, not related to either of the parties within the degree of cousin-german, without interest in the instrument, not civilly dead, and not deemed infamous by law.

This article is subject to the provisions contained in the next following article, and to those relating to wills.

21. That article 240 be struck out and the following inserted instead thereof:

240. A writing which is not authentic by reason of any defect of form, or of the incompetency of the officer, avails as a private writing, if it have been signed by all the parties; saying the provisions contained in article 146 of the title *Of gifts inter vivos and by will*.

22. That paragraph 2, of article 252 be struck out and the following inserted instead thereof:

2. In all matters in which the principal sum of money or value in question does not exceed fifty dollars.

23. That article 254 be struck out and the following inserted instead thereof:

254. In commercial matters in which the sum of money or value in question exceeds fifty dollars, no action or exception can be maintained against any party or his representatives unless there be a writing signed by the former, in the following cases:

1. Upon any promise or acknowledgment whereby a debt is taken out of the operation of the law respecting the limitation of actions;

2. Upon any promise or ratification made by a person of the age of majority of any obligation contracted during his minority;

3. Upon any representation or assurance in favor of a person to enable him to obtain credit, money or goods thereupon;

4. Upon any contract for the sale of goods; unless the buyer have accepted or received part of the goods or given something in earnest to bind the bargain;

The foregoing rule applies, although the goods be intended to be delivered at some future time or are not at the time of the contract ready for delivery.

24. That article 255 be struck out and the following inserted instead thereof:

255. In any action for the recovery of a sum which does not exceed fifty dollars, proof by testimony cannot be received if such sum be a balance or make part of a debt under a contract which cannot be proved by testimony.