

the time of the maturity, had his domicile, in Lower Canada ; and in other cases, from the time when he becomes domiciled in that portion of the Province. Under the latter of these articles, prescriptions begun under the law of Lower Canada must be completed under the same law, without prejudice to those acquired wholly or in part under foreign law in conformity with the preceding article.

Under our former law possession obtained by violent or clandestine means could never avail for prescription, but article **2198** adopts the more equitable and logical rule, that when these defects have ceased prescription may commence. Neither the thief, however, nor his heirs or successors by universal title, can by any length of time prescribe the thing stolen.

Article **2202** declares that good faith is always presumed ; under the old law it was presumed when possession accompanied title. The amendment seeks to remove all doubt or restriction from the simple and just rule, which prevails throughout the Code. that fraud or bad faith must always be proved.

Other provisions intended to extend or simplify the rules in matters of prescription, are contained in following articles. Article **2207**, in cases of substitution, enables the substitute, even before the opening of his right, to bring an action to interrupt prescription ; and, having thus destroyed the only reason why, under the old law, prescription did not run against him, it declares him to be, like other persons, liable to be prescribed against, unless protected by minority or other disability. Article **2232**, which should be taken in connection with article **2269**, is intended to explain and to limit the application of the old maxim : *contra non valentem agere non currit prescriptio*. This rule is restricted generally to such persons as are under an absolute impossibility, in law or in fact, of acting by themselves, or of being represented by others. Minors, however, as well as insane persons, are not subject to the prescription by thirty years, nor to that in favor of subsequent purchasers of immoveables with title and in good faith, nor to the ten years prescription of actions in rescission of contracts for error, fraud, violence or fear. Article **2240** applies to all prescriptions the uniform rules which formerly applied only to the short prescriptions, namely, that they are reckoned by days and not by hours, that they are