

59. That after article 34a the following be inserted :

37. The preceding article is substituted for the provisions of anterior laws on the subjects it embraces, which provisions are repealed in so far as they establish contrary rules, and fix different measures and distances in the same cases.

TITLE FIFTH.

OF EMPHYTEUSIS.

RESOLVED :—

60. That article 5 be struck out.

61. That article 6 be struck out and the following inserted instead thereof :

6. Immoveables held under emphyteusis may be seized as real property, under execution against the lessee by his creditors, who may bring them to sale with the formalities of a sheriff's sale.

TITLE NINETEENTH.

OF PRESCRIPTION.

RESOLVED :—

62. That article 8 be struck out and the two following inserted instead thereof :

8a. As regards moveables and personal actions, including bills of exchange and promissory notes, and in commercial matters in general, may be invoked separately or together :

1. Any prescription entirely acquired under a different law when the cause of action did not arise in Lower Canada, or it was not stipulated that the debt should be paid there, and when such prescription has been so acquired before the possessor or the debtor had his domicile there.

2. Any prescription entirely acquired in Lower Canada, from the date of the obligation falling due, when the cause of action arose there or it was stipulated that the debt should be payable there, or the debtor had his domicile there at the time of its falling due ; and in other cases from the date of the acquisition of such domicile by the debtor or possessor.

3. Any prescription resulting from the lapse of successive periods in the cases of the two preceding paragraphs when the time elapsed under the different law has preceded.

9a. Prescriptions which have commenced to run according to the laws of Lower Canada, terminate according to the same laws, without prejudice to the right of invoking those acquired previously under a different law, or by the reunion of time according to both, conformably to the preceding article.