

saving 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.

The creditor may, nevertheless, prove by testimony a promise made by the debtor to pay such balance, when it does not exceed fifty dollars.

25. That article 256 be struck out and the following inserted instead thereof :

256. If in the same action several sums be demanded which united form a sum exceeding fifty dollars, proof by testimony may be received, if the debts have arisen from different causes or have been contracted at different times, and each were originally for a sum less than fifty dollars.

26. That paragraph 1 of article 272 be struck out and the following inserted instead thereof :

1. If offered by one of joint and several creditors, to the debtor, it avails the latter for the part only of such creditor subject,