II. — A borrows money from B, who is going out for a trip. It is agreed that the money shall be repaid at B's residence on his return. If A does not bring the money to B, he is in default from the moment when he knows that B has returned.

III. — In the case described in illustration No. I, if it is agreed that the money borrowed by A shall be repaid on the 1st. of April 2456 on demand by B, A is not in default until B has demanded the money.

IV. — In the case described in illustration No. II. if it is agreed that B shall demand the money on his return. A is not in default until B has demanded the money.

259. — If no time, definite or otherwise, has been fixed for the performance of the obligation, the debtor is in default ~~from the moment when~~ [after] a demand for performance is made to him.

260. — If the debtor cannot be found, he is in default without previous demand being necessary.

261. — A person whose obligation arose out of a wrongful act is in default from the time when such wrongful act was committed without previous demand being necessary.

ILLUSTRATION. — A by driving carelessly his motor car runs over B and injures him. A is in default as regards the compensation due by him to B from the time of the accident. It is not necessary for B to make a previous demand before he enters an action for compensation.

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