

380. — The creditor of an obligation the subject of which is the payment of money periodically is entitled to require from the debtor at any time before the completion of the period of prescription a written acknowledgement of the obligation, in order to obtain evidence of the interruption of prescription.

*ILLUSTRATION.* — On the 1st. of January 2455 A has sold his house to B with a clause stating that B would pay 500 baht per year to A during A's life, the payment to be made on every 1st. of April from the 1st. of April 2456 inclusive. The obligation of B can be extinguished by prescription, the period being 10 years (Section 387) from the 1st. of April 2456. B performs his obligation by paying 500 baht per year, and A gives B the receipts thereof. Under Section 378 No. 2, each payment of an instalment is on acknowledgement of debt which interrupts prescription. But A gets no written evidence of such payments. On the 1st. of May 2466 B falsely pretends that he has never paid instalments to A and consequently that his obligation is extinguished by prescription. A has no written evidence to set up against this false statement, unless he has received from B before the 1st. of April 2466, say on the 10th. of November 2465 a written acknowledgement of B's obligation. Section 380 gives A the right to require from B such an acknowledgement.

381. — When prescription is interrupted, the period of time which has elapsed before interruption does not count for prescription.

382. — From the time when the interruption ceases, a fresh period of prescription runs.

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