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Illustration:—A is the registered owner of a house in Bangkok. A goes abroad and ceases to look after his house in any way as from the 1st. April 2462. B finding the house abandoned takes possession of it on the 15th. of August 2463.

If A comes back before the 15th. of August 2473 and claims the house, B derives from his possession no presumption of ownership against A, the registered owner.

If A comes back and claims the house on the 15th. of August 2473, B can set up against A the presumption of ownership derived from possession (although B has not yet had registered his right of ownership, acquired by way of usucapion).

TITLE II.

Usucapion.

109. — Usucapion is the way by which a possessor acquires the right of ownership by long and uninterrupted use.

J. 162.

110. — A person who openly and without interruption possesses a specific or identified thing belonging to another person for a period of

(1) ten years in case of an immovable,

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(1) ten years in case of an immovable,

- (2) seven years in case of ships or vessels having displacement of and over six tons, steam launches or motor-boats having displacement of and over five tons, floating houses and beasts of burden,
- (3) five years in case of other movables, becomes the owner of it.

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111. — In case of usucapion, the calculation of periods of time is governed, *mutatis mutandis*, by the provisions of the Code on Obligations concerning Prescription.

Illustration : — A who was born on the 1st of June 2452 has on the 3rd of July 2462 inherited from his father a house in Bangkok ; but he was not aware of it and never looked after that house. A has no lawful representative. Supposing that B had taken possession of that same house on the 15th of August 2462, usucapion would, as against any person, be completed in B's favour on the 15th of August 2472. But as against A usucapion will not be completed in favour of B until the 1st of June 2473, that is to say, one year after A has acquired capacity (Obligations 370.)

If A enters an action in Court against B on the 1st of April 2473, and thereby interrupts usucapion such usucapion shall likewise not be completed in favour of B until the new period of usucapion to run from the interruption, has been completed against A. (Obligations 373, 381.)

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