

DONATIONS.

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A donation made by a weak and aged person for a small annuity, not exceeding half of the annual income of the property given, may be set aside for fraud, if the inference of fraud be not rebutted by evidence of circumstances which plainly show that it ought not to prevail. *Bernier vs. Boiceau*, 1813, no. 500.

A donation made to a priest by his *pénitente*, à la charge that he will say 2600 masses for the repose of her soul, is null and void *ab initio*. *Fournier vs. Poulin*, 1817, no. 373.

Where the *donataire*, by his own act, has rendered it impossible for him to perform a material condition of the donation, it is good cause for rescission. *Lagacé vs. Courberon*, 1817, no. 46.

A donation may be rescinded for non-payment of an annuity for which the *donateur* and the *donataire* have stipulated. *Migné vs. Migné*, 1811, no. 206.

A donation may be enregistered at any time during the life of the *donateur*. *Gaulin vs. Carrier*, 1809, no. 9.

A donation which provides for the board and lodging of the *donateur* in the house of the *donataire* at his table, does not confine the *donataire* to a residence in the house given by the donation. The *donateur* (if it be not otherwise provided) must accompany the *donataire* to the house which he chooses for his dwelling, or forego the advantage of board and lodging at the *donataires* expense. *Gagnon vs. Tremblay*, 1818, no. 244.

In the case of a donation by a parent to his child, the tranquillity, the careful aid, and the minute filial attentions, which the parent requires, and naturally seeks to obtain in the decline of life, must necessarily be destroyed by the constant intoxication of the *donataire*, and this being voluntary is a good cause of rescission. *Couture vs. Begin*, 1819, no. 102.