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No. 114.

2nd Session, 7th Parliament, 26 Victoria, 1863.

BILL.

**An Act respecting Donations *inter vivos*,
and Testamentary Donations.**

Received and read, 1st time, Friday, 6th
March, 1863.

Second Reading, Tuesday, 10th March
1863.

Hon. Mr. Atty. Gen. SICOTTE.

QUEBEC :

PRINTED FOR THE CONTRACTORS BY
HUNTER, ROSE & LEMIEUX, ST. URSULE ST.

An Act concerning Donations *inter vivos*, and Testamentary Donations.

HER MAJESTY, etc., enacts as follows:

1. Donations *inter vivos*; of real estate, made before the passing of this Act, donations hereafter to be made, and also testamentary donations, shall not be liable to reduction in order to provide any portion (*légitime*) for the children of the donor.
- 5 2. Arrears of annual life rents (*rentes viagères et annuelles*) shall be deemed to have been paid after they shall have been due for three years, unless proceedings at law shall have been previously instituted, or an acknowledgment in writing given; and the debtor of such rent, which has been due for three years, may plead prescription in bar of any action
10 at law brought after such three years, for the payment of such rent, upon tendering his oath that the rent has been paid and discharged.
3. If the debtor in such action makes oath, when required so to do by the creditor, that he has paid, the action shall be dismissed.
4. Proof of the payment of the amount, and the delivery of the arti-
15 cles constituting such life rent, may be made by witnesses.
5. This Act shall apply to Lower Canada only.