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No. 120.

4th Session, 6th Parliament, 24th Victoria, 1861.

BILL.

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

Received and read, first time, Tuesday,
9th April, 1861.

Second reading, Wednesday, 10th April,
1861.

HON. MR. SICOTTE.

QUEBEC:

PRINTED BY THOMPSON, HUNTER & CO., STE. URSULE STREET:

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

HER MAJESTY, &c., enacts as follows :

I. 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 curtailment to provide any portion (*legitime*) for the children of the donor.

Donations, &c., not to be curtailed on account of legitime to children of donor.

II. 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, after three years' arrears thereof have become due, may plead prescription in bar of any action at law brought after such three years, for the payment of such rent, upon offering his oath that the rent has been paid and discharged.

Arrears of life rents, prescription of claim for.

III. 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.

Oath as to payment.

IV. Proof of the payment of the amount, and the delivery of the articles, constituting such life rent, may be made by witnesses.

Proof of payment.

V. This Act shall apply to Lower Canada only.

Application.