

140. — If the condition afterwards becomes lawful or not contrary to public policy or to the safety of persons or property, the obligation does not become valid.

141. — If no time is fixed for the fulfilment of the condition, and it becomes certain that the condition cannot be fulfilled, the condition is deemed to be unfulfilled.

*ILLUSTRATION.* — *A agrees to give B a house if B marries C. C dies without being married to B. It becomes certain that the condition cannot be fulfilled. The condition is deemed to be unfulfilled. A's obligation is extinguished.*

142. — If the property which is the subject of the conditional obligation is lost or damaged before the condition is fulfilled, the provisions of this Code concerning non-performance shall apply.

*ILLUSTRATION.* — *A buys B's house subject to the condition that the sale shall be valid only if A marries. A marries, but before he marries the house is damaged by fire. A has the remedy described in Sections 257 to 272 concerning non-performance, that is to say he can claim cancellation of the contract (section 262) or he can accept the house as it is, subject to a reduction of price (section 264). He is also entitled to compensation for non-performance, provided that the fire be not due to force majeure.*

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