



CHAPTER 132

An Act to extinguish a hypothec affecting certain lots
in the parish of St. Germain de Rimouski and in
the parish of Notre-Dame du Sacré-Cœur de Ri-
mouski

[Assented to, the 30th of March, 1939]

WHEREAS Aubert Pinault and Hormidas Langis, both Preamble.
of the parish of Notre-Dame du Sacré-Cœur de
Rimouski, farmers, and Louis Duchêne, Philémon Côté,
Fortunat Lamontagne, Samuel Roy, Léon St-Pierre and
Jean Marie Perron, all six of the parish of St. Germain de
Rimouski, farmers, have, by their petition, represented:

That by a deed of obligation by Jean Lepage and of
security by Louis Lepage, F. X. Boucher, Abel Côté, and
Thomas Parent, passed before L. J. Caron, Notary, on the
12th of March, 1860, and registered at Rimouski on the
16th of March of the same year under the No.7679, the
said persons acknowledged to jointly and severally owe to the
corporation of the parish of St. Germain de Rimouski the
sum of 2141 *louis*, 5 *schillings* and 4 *deniers*, and consequent-
ly hypothecated for the said amount the immoveables of
which they were then owners;

That after a judgment, rendered on the 14th of June,
1890, declaring the said immoveables duly hypothecated in
favour of the corporation of the parish of St. Germain de
Rimouski, the holders of the said immoveables acknow-
ledged an interruption of prescription by notarial deeds
in 1918 and 1920;

That the petitioners, now the holders, being thus unable
to avail themselves of article 2157*b* of the Civil Code, as
replaced by the act 2 George VI, chapter 98, section 9, and

of article 2081*a* of the said Code, as enacted by the said act, find that they are hypothecary debtors to the said corporation of the parish of St. Germain de Rimouski to the extent of four thousand four hundred and sixty-four dollars and thirty-three cents with interest to date;

That the municipal council of the parish of St. Germain de Rimouski unanimously resolved, on the 12th of December, 1938, that it had no objection to the passing of a private act for the purpose of extinguishing the said debt of four thousand four hundred and sixty-four dollars and thirty-three cents and to liberate the lands now affected by the hypothec guaranteeing such amount; and

Whereas it is expedient to pass an act for the purpose of extinguishing the said hypothec;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Extinguishing
of certain
hypothec.

1. The hypothec for four thousand four hundred and sixty-four dollars and thirty-three cents and interest to date constituted by the registration, in the registration division of Rimouski, on the 16th of March, 1860, under No. 7679, of a deed of obligation by Jean Lepage and of security by Louis Lepage, F. X. Boucher, Abel Côté and Thomas Parent, passed before Mtre. L. J. Caron, Notary, on the 12th of March, 1860, and affecting the lots 66 and 73 of the official cadastre of the parish of Notre-Dame du Sacré-Cœur de Rimouski, and the lots 377 East and West, 399, 367, 338 West and East, and 214, of the cadastre of the parish of St. Germain de Rimouski, is extinguished for all purposes.

How certain
registration
cancelled.

2. The registration of the hypothec extinguished in virtue of section 1 shall be cancelled upon the filing of a request to that effect, in authentic form *en minute*, made by any interested person.

Coming into
force.

3. This act shall come into force on the day of its sanction.