



CHAPTER 176

An Act to ratify and confirm the title of the Mount Sinai Sanatorium to the immoveable property held by it in the parish of Ste. Agathe des Monts

[Assented to, the 4th of April, 1931]

WHEREAS the Mount Sinai Sanatorium, a body incorporated by letters patent granted under seal of the Lieutenant-Governor of the Province of Quebec, on the 14th of March, 1912, is the owner of an emplacement situated in the parish of Ste. Agathe des Monts, in the county of Terrebonne, in the Province of Quebec, with the buildings and improvements thereon, which emplacement is composed of: Preamble.

Firstly:—The lot of land known and designated on the official plan and in the book of reference of the parish of Ste. Agathe des Monts as lot No. 44 of the eleventh range of the township of Morin containing ninety-three and nine-tenths acres in superficial area and,—

Secondly:—The northerly part of the lot of land known and designated on the said official plan and book of reference of the parish of Ste. Agathe des Monts as lot No. 43 of the eleventh range of the township of Morin; the said northerly part measuring seven and twenty-one one-hundredths chains in width from north to south and containing fifty-seven and eighty-six one-hundredths acres in superficial area and bounded as follows: to the north by the said lot number forty-four, to the south by the remainder of the said lot number forty-three, to the east by the boundary line between the said township of Morin and the township of Doncaster in the said parish of Ste. Agathe des Monts, and to the west by the boundary line between the said township of Morin and the township of Beresford in the said parish of Ste. Agathe des Monts;

Whereas the Mount Sinai Sanatorium and those from whom it acquired the said property erected on the said emplacement buildings to be used as a hospital for the treatment and cure of patients suffering from tuberculosis;

Whereas certain doubts have been cast upon the validity of the title of the Mount Sinai Sanatorium to the property owned by it, as above described, for the following reasons:

a. That in the deed of sale by Louis Lapierre to François Page of the 21st of November, 1895, before L. de G. Lachaine, N.P., there is no declaration as to the matrimonial status of the vendor and that there appears to be an amount of six hundred and seventy-five dollars and interest owing to the vendor and his minor children, for which a partial release and discharge, for a small amount only of this sum, has been registered;

b. That a deed of sale with right of redemption by François Page to Philias Désormeaux was passed on the 20th of January, 1904, before J. E. Parent, N. P., and another deed of sale by François Page to Calixte Laframboise, dated the 14th of April, 1904, before J. E. Parent, N. P.; that there is no record of any discharge or retransfer by Désormeaux to François Page of his rights in the property, nor is there any discharge for the balance of price of four hundred and fifty-five dollars and nineteen cents owing under the second of these two deeds of sale. Moreover, in the second of these two deeds, the purchaser obliged himself to pay to Philias Désormeaux the amount due to him under the first of these two deeds, and there is no discharge of this claim;

c. There is no declaration as to the matrimonial status of J. Bte. Fournelle who retroceded to François Page certain rights in the property, by deed passed before J. E. Parent, N. P., the 21st of January, 1904;

d. In the deed of sale by Calixte Laframboise to Joseph Giletz and others of the 14th of July, 1905, passed before A. Valiquette, N. P., a later deed of sale by Joseph Giletz and others to Woolf Smith and others of the 25th of June, 1906, passed before A. G. E. Rankin, N. P., and in a judgment of the Superior Court for the district of Terrebonne, dated the 8th of February, 1911, in a case in which Mortimer B. Davis and Samuel W. Jacobs were the plaintiffs and Woolf Smith and others were the defendants, and by the terms of which the plaintiffs were declared to be the owners of the property now in question, it was stated in each case that it was the southerly part of lot No. 43 which was in question, whereas it should have been described as the northerly part of lot No. 43; that by a declaration by

Mortimer B. Davis and Samuel W. Jacobs passed before L. A. Hart, N. P., the 24th of January, 1913, it was declared that the part of lot No. 43 affected was wrongly described as the southerly half of lot No. 43 and should have been described as the northerly half of the said lot; that a declaration of error and correction should be obtained from all the other parties to the deeds of sale above referred to, namely: Calixte Laframboise, Joseph Giletz, Samuel Corn, Woolf Smith, Barnet Ofner, Max Ofner and Benjamin Shuldiner;

e. That in the deed of sale by Calixte Laframboise to Joseph Giletz and others of the 14th of July, 1905, above referred to, there is no declaration as to matrimonial status of the vendor, nor is there any radiation on the certificate of search to show that the balance of price due under this deed of sale has been paid—the said balance of price including an amount due to a minor whose name is not given and another amount due to Calixte Laframboise and transferred by deed of transfer (not registered) by Calixte Laframboise to Messrs. Davis and Jacobs;

f. In the deed of sale by Joseph Giletz and others to Woolf Smith and others of the 25th of June, 1906, above referred to, there is no declaration as to the matrimonial status of the vendors;

g. In a deed of donation by Mortimer B. Davis and others to the Mount Sinai Sanatorium of the 24th of January, 1913, before L. A. Hart, N. P., it is declared that Hannah Pierce was represented by her brother Asher Pierce, who declared that he was duly authorized to act for her, but there is no reference to any power of attorney having been executed by her in his favour;

Whereas the said Mount Sinai Sanatorium has prayed by its petition that such doubts be removed, and

Whereas it is expedient to grant such prayer:

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

1. The title of the Mount Sinai Sanatorium to the im-^{Title to cer-}moveable property above described is hereby ratified and ^{tain immo-}confirmed, notwithstanding any defect or hindrance of ^{veable,} title as set forth in the preamble of the present act. ^{ratified.}

2. This act shall come into force on the day of its ^{Coming into}sanction. ^{force.}