



CHAPTER 169

An Act respecting the sale of an immoveable of the Rhéaume estate

[Assented to, the 20th of March, 1930]

WHEREAS Dame Honorine Melançon, wife of J. Preamble.
Edward Parent, notary, of the town of St. Jérôme,
county and district of Terrebonne, and the said J. Edward
Parent, authorizing his wife, have, by their petition, re-
presented:

That on or about the 6th of April, 1888, by deed of gift received before Mtre. M. Prévost, notary, of the town of St. Jérôme, district of Terrebonne, Timothée Rhéaume, gentleman, of the same place, and Dame Henriette Leroux, his wife, ceded with legal warranty to their son Ferdinand Rhéaume, farmer, of the parish of St. Jérôme, a land lying and situate in the Côte du Cordon, in the said parish of St. Jérôme, county of Terrebonne, being lot number two hundred and thirty-one, on the plan and book of reference made for the parish of St. Jérôme, containing four arpents in front, by forty arpents in depth, that is to say all that is comprised within the following boundaries: joining in front the river du Nord, in rear, the Côte St. André road, on one side, Clément Allary, and on the other side, the Côte St. André hill, with a house, barns and other buildings thereon erected, with all the moveables which go with the said land, on the condition of paying *les cens et rentes*, and other seigniorial rights and dues to become due in future, as well as all taxes and assessments and other public imposts, and the sum of three thousand five hundred and sixty-six dollars to the assigning donors, as follows: one hundred dollars in July then next, and one hundred dollars per annum at a like date, until complete payment, without interest, and other personal services, and it was covenanted, that in the event of the donee dying without

children, and his then wife surviving him, before the above-mentioned payments are made, the latter shall pay the sum of two hundred dollars, instead of one hundred dollars per payment as aforesaid; and it was also covenanted that the above funds would not fall into the community existing between the said Ferdinand Rhéaume and his wife; that the said land would remain for the children of the said Ferdinand Rhéaume, if he has any, otherwise it would return to the Rhéaume family; nevertheless, the wife of the said Ferdinand Rhéaume would have the enjoyment thereof, if she survived her husband, as long as she does not remarry, and should she remarry, she may keep the said property upon paying the assignors or donors the sum of thirty-five thousand francs, by payments of two hundred dollars per annum, at the above-stated period, after deduction of what shall have been paid;

That it was further stipulated that the said Ferdinand Rhéaume, as long as the donors lived, could not sell, hypothecate or alienate the said land without their permission under pain of nullity;

That such deed of gift was duly registered;

That the donors died before the 2nd of March, 1907;

That on that date, the donee sold the property to Wilfrid Boivin, farmer, of the parish of St. Jérôme, by deed of sale before Mtre. Ls. de G. Lachaine, at St. Jérôme, for the price of eight thousand dollars, which the acquirer bound himself to pay in fifteen years, in payments of not less than one hundred dollars each, with interest at the rate of five per cent;

That on the 20th of February, 1919, Wilfrid Boivin, by sale before Mtre. Timothée Toupin, notary, of St. Jérôme, sold the same property to the petitioner at the price of ten thousand dollars, payable, one thousand dollars to Ferdinand Rhéaume, to the discharge of the said vendor, which said sum was the balance of his purchase price from the said Ferdinand Rhéaume, twenty-five hundred dollars to Dame Philomène Trépanier, wife of André Trottier, five hundred dollars to the vendor on the 25th of December, 1919, six thousand dollars to the vendor in payments of not less than one hundred dollars per annum, during eight years, the first whereof falling due in one year from the 25th of December, 1919, and the balance five thousand two hundred dollars in nine years from the 25th of December, 1919, with interest at the rate of five per cent per annum;

That on the 20th of March, 1920, before Mtre. J. Edward Parent, notary, Dame Hélène Rhéaume and her husband, Ludger Morant, farmer, of St. Canut, Johnny Rhéaume,

foreman, of the said town of St. Jérôme, Marie Stella Rhéaume, spinster, of the same place, Elizabeth Goodman and Ferdinand Rhéaume, her husband, declared that on the 20th of January, 1920, before Mtre. Timothée Toupin, they ratified the deeds of sale above mentioned and renounced the rights which may result in their favour from the deed of gift above mentioned, of the 6th of April, 1888;

That these persons are the only children born of the marriage of Ferdinand Rhéaume with Dame Elizabeth Goodman;

That doubts have been raised as to the sufficiency of such ratification and renunciation and as to the validity of the two sales hereinabove mentioned as regards the powers of the vendors to consent thereto;

That, by reason thereof, the petitioner has not the free possession of this immoveable which she purchased and paid for in good faith;

That it is expedient, under the circumstances, to ratify the title to such immoveable upon the cost of which the petitioner still owes to her *auteur* the sum of one thousand dollars;

That the petitioner is ready to pay over such sum, but that these obstacles prevent her from doing so;

Whereas the petition has prayed for the passing of an act for the above purposes and 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 sales made by Ferdinand Rhéaume to Wilfrid Boivin, by deed passed before Mtre. Ls. de G. Lachaine, on the 2nd of March, 1907, under number 13691 of the minutes of the said notary, and registered in the registry office of the county of Terrebonne on the 4th of March, 1907, under the number 53376, and by Wilfrid Boivin to Dame Honorine Melançon, by deed passed before Mtre. T. Toupin, notary, on the 20th of February, 1919, under the number 27 of the minutes of the said notary, and registered in the registry office of the county of Terrebonne under number 13206, are ratified, confirmed and declared valid in regard to the powers of the vendors to consent thereto and in consequence give a complete title to the said purchasers. Sales ratified.

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