



CHAPTER 179

An Act to ratify the sale of certain lots in the parish of
St. Nicolas, county of Levis

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

WHEREAS Joseph Allard, farmer, of the parish of Preamble.
St. Nicolas, in the county of Levis, has, by his petition, represented:

That on the 24th of January last, at ten o'clock in the forenoon, at the door of the church of the parish of St. Nicolas, county of Levis, the prothonotary of the district of Montcalm offered and put up for sale the lots known and designated as lots 93 and 94 of the official cadastre of the parish of St. Nicolas, county of Levis;

That the said sale was held under a judgment rendered by the Superior Court of the district of Montcalm, on the 31st of October, 1928, on the petition of Evans Duval, dentist, of the village of Montcalm, district of Montcalm;

That he became adjudicatary of the said lots for the sum of five thousand six hundred dollars;

That the said judgment was rendered as authorizing the sale of substituted property, the substitution existing under the will of the grandfather of the said Evans Duval, the late Louis Duval, in his lifetime of St. Nicolas, made before Boutin Bourassa, notary, on the 1st of February, 1906, the said Louis Duval having subsequently died at St. Nicolas where the estate opened;

That the said Evans Duval had the enjoyment of the said property under the said will;

That, when judgment was rendered as authorizing the sale of the substituted property, it was to the interest of the said Evans Duval and his lawful heirs that the said lots be sold at a price of at least two thousand five hundred dollars;

That a doubt has arisen whether the judgment was regularly rendered and specially as to whether the said judgment rightly interpreted the effect of the prohibition to alienate to which it relates;

That he became adjudicatory in good faith at a sale apparently clothed with the legal formalities and held in accordance with a judgment of the Superior Court of the Province of Quebec;

That he is greatly interested in having the said sale ratified for all legal purposes;

That the price of adjudication is more than double the upset price fixed by the judgment authorizing the sale;

Whereas it is expedient to grant the prayer contained in the said petition;

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

Sale ratified. **1.** The judicially authorized sale made by the prothonotary of the district of Montcalm on the 24th of January, 1929, of lots 93 and 94 of the official cadastre of the parish of St. Nicholas, county of Levis, is ratified and validated for all lawful purposes, and the purchaser, Joseph Allard, may dispose of said properties to the same extent as the late Louis Duval himself had, in his lifetime, the right to dispose of them under his titles.

Investment of amount of price of sale. **2.** The amount of the price of sale of the said lots shall be invested in accordance with the provisions of article 953a of the Civil Code, and the present ratification shall only be valid when it has been established before a judge of the Superior Court, on a petition to that effect, that the reinvestment has been made.

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