



CHAPTER 89

An Act respecting certain registrations in the registration division of Laval

[Assented to, the 22nd of March, 1928]

WHEREAS the officers instructed to prepare the official Preamble. book of reference of the cadastre of the parish of St. Martin, in the registration division of Laval, mentioned the name of Eusèbe Laurin as owner of the lot to which they gave the number 123, and the name of Michel Lafontaine as owner of the lot which they designated under No. 124;

Whereas on the contrary Eusèbe Laurin was apparent owner of the land which these officers had designated in the book of reference as being lot No. 124, and Michel Lafontaine was apparent owner of that which they had indicated as being lot No. 123;

Whereas from such error it has resulted that the documents described in Schedule A to this act mention, under cadastral number 123 of the said registration division, the land affected by them, whilst in fact the parties were dealing with an immovable which should have borne cadastral number 124; and in the same way the documents described in Schedule B mention under cadastral number 124 the land affected by them, whilst the parties to such contracts were dealing with a lot which should have been described under No. 123;

Whereas under the authority of article 2174 of the Civil Code, a correction was made in the said book of reference by designating lot No. 123 by the No. 124 and *vice versa*, but it is in the interest of the parties that an act be passed in order that the registration of the documents mentioned in Schedule A shall affect the land designated under cadastral number 124, and that the registration of those mentioned in Schedule B shall affect cadastral No. 123, notwithstanding any other description in such documents;

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

Transcription.

1. From and after the coming into force of this act, the registrar of the registration division of Laval shall transcribe in the margin of the registration of the documents described in Schedule A to this act, over his signature, the following words: "This document affects the lot known and designated under No. 124 of the cadastre of the parish of St. Martin (18 George V, chapter 89)".

Idem.

2. The said registrar shall likewise transcribe in the margin of the registration of the documents mentioned in Schedule B, over his signature, the following words: "This document affects the lot known and designated under No. 123 of the cadastre of the parish of St. Martin (18 George V, chapter 89)".

Registration affecting certain lot.

3. Notwithstanding any contrary designation in the documents described in said schedules "A" and "B", when the registrar of the registration division of Laval has complied with the foregoing provisions, the registration of such documents shall affect the lot known and described in the plan and book of reference of the cadastre of the parish of St. Martin under the number indicated in the margin of the said registration and not that mentioned in the documents.

Transcription of entries now made.

4. The said registrar is authorized to and shall, without delay, transcribe into the index for immoveables under the No. 124 of said cadastre the entries now made under No. 123 respecting the registrations described in Schedule A, and under No. 123 of said cadastre the entries now made under No. 124 relating to the registrations mentioned in schedule B.

Entries to be cancelled.

5. The registrar of the registration division of Laval is likewise authorized to and shall, without delay, cancel all the entries made in the index of immoveables under the lots Nos. 123 and 124 of the cadastre of the parish of St. Martin, relating to the registrations described in the schedules "A" and "B", before the correction made in the book of reference of such cadastre, by designating lot No. 123 by lot No. 124, and *vice versa*.

Transcription.

6. The said registrar and his successors are authorized to and shall transcribe, without costs, on the certificates of

real rights issued before the coming into force of this act, affecting lots Nos. 123 and 124 of the cadastre of the parish of St. Martin, when presented to him, the words written in conformity with the above sections 1 or 2, as the case may be, in the margin of the registrations.

7. Every certificate of real rights affecting lots Nos. 123 and 124 of the said cadastre, after the coming into force of this act, shall bear the words written in compliance with the above sections 1 or 2, as the case may be, in the margin of the registrations. Contents of certificate.

8. The registrar of the registration division of Laval shall incur no personal responsibility through the execution of this act, provided, however, that he has complied with its provisions. No responsibility of registrar. Proviso.

9. The said registrar shall be entitled to the fee fixed by item 9 of the registrars' tariff for the transcriptions prescribed by sections 1 and 2 of this act, and to that fixed by item 5 of said tariff for the transcription required by section 4 of this act. Such fees shall be paid by the Provincial Treasurer out of the funds appropriated for the inspection of the registry offices, upon the approval of the Attorney-General. Fees. Payment thereof.

10. This act shall not affect pending suits. Pending suits.

11. This act shall come into force on the date which it may please the Lieutenant-Governor in Council to fix by proclamation. Coming into force.

SCHEDULE A

List of registrations affecting lot No. 123 of the cadastre of the parish of St. Martin, registration division of Laval, which should affect lot No. 124:

1. Sale of 3rd of November, 1871, L. Sauriol, N. P., by Antoine Plouffe, son, to Eusèbe Laurin, registered on the 10th of November, 1871, under No. 5008, Vol. A, 7,477;

2. Notice of 2nd of April, 1879, L. Sauriol, N. P., by Eusèbe Laurin, registered 2nd of April, 1879, under No. 9296, Vol. B, 1st, 321;

3. Sale of 7th of September, 1880, L. Sauriol, N. P., by Eusèbe Laurin to Isidore Valiquette, registered 28th of September, 1880, under No. 10148, Vol. A, 11,556;

4. Assignment of 24th of March, 1884, L. Sauriol, N. P., by Isidore Valiquette to Ferrier Valiquette and Julie Meilleur, registered 28th of July, 1884, under No. 11771, Vol. A, 13, 84;

5. Sale of 14th of September, 1885, P. J. B. Crevier, N. P., by Napoléon Lagassé to Gédéon Plouffe, registered 23rd of September, 1885, under No. 12193, Vol. A, 13,424;

6. Sale of 29th of January, 1889, J. A. Théoret, N. P., by Eusèbe Laurin to Ovide Patry, registered 18th of March, 1893, under No. 15712 Vol. A, 16,729;

7. Sale of 21st of December, 1898, U. B. Desrochers, N. P., by Joseph Dagenais to Ovide Patrie, registered 2nd of May, 1899, under No. 18735, Vol. A, 20,510;

8. Sale of 3rd of February, 1899, U. B. Desrochers, N. P., by Ovide Patrie to Maxime Francœur, registered 29th of August, 1899, under No. 18850, Vol. A, 20,623;

9. Sale of 21st of March, 1904, U. B. Desrochers, N. P., by Maxime Francœur to Alexandre Francœur, registered 26th of April, 1904, under No. 21060, Vol. A, 23,87;

10. Gift of 11th of December, 1915, H. Francœur, N. P., by Alexandre Francœur to Oscar Francœur, registered the 13th of December, 1915, under No. 28427, Vol. A, 31,512;

11. Sale of 20th of November, 1923, J. A. Lefebvre, N. P., by Alexandre Francœur and Oscar Francœur to Trefflé Gariépy, registered 24th of November, 1923, under No. 35012, Vol. A, 41,580;

N. B.—The declaration passed on the 8th of August, 1927, J. A. Guy, N. P., by Aldéric Plouffe, registered 10th of August, 1927, under No. 38201, Vol. A, 47,506, should be completely cancelled, there being no longer occasion for same after the passing of this act.

SCHEDULE B

List of registrations affecting lot No. 124 of the cadastre of the parish of St. Martin, registration division of Laval, which should affect lot No. 123:

1. Assignment of the 31st of August, 1880, under No. 3822 of the minutes of A. B. Papineau, N. P., by Michel Lafontaine to his son Martin Lafontaine to Guillaume Lagassé and Hélène Lafontaine, his wife, again to Séraphin Lagassé and to Emélie Lafontaine, his wife, registered the 5th of May, 1884, under No. 11681, Vol. A, 12,998;

2. Ratification of the 23rd of October, 1891, J. A. Théoret, N. P., by, 1st. Zoé Lafontaine, widow of Jean Brien *dit* Durocher; 2nd. Emélie Lafontaine, wife of Séraphin La-

gacé, registered the 24th of October, 1891, under No. 15005, Vol. A, 16,104;

3. Sale of the 28th July, 1884, A. B. Papineau, N. P., by Martin Lafontaine, Guillaume Lagacé, and Hélène Lafontaine, his wife, Zoé Lafontaine, widow of Jean Brien, and others, to Gédéon Plouffe, registered the 11th August, 1884, under No. 11785, Vol. A, 13,100;

4. Sale of the 2nd of November, 1915, J. A. Guy, N. P., by Adéline Clermont widow of Gédéon Plouffe to Aldéric *alias* Frédéric Plouffe, registered the 4th of November, 1915, under No. 28299, Vol. A, 31,378.