



CHAPTER 149

An Act to ratify the sale of an immoveable by J. Alfred Nadeau and others to L. Richard Beaudry, dated the 2nd of December, 1915

[Assented to, the 15th of March, 1928]

WHEREAS J. Alfred Nadeau, notary, and L. Richard Beaudry, advocate, both of the city of Outremont, have, by their petition represented:

That on the 2nd of December, 1915, by deed before E. R. Dufresne, N. P., under number 7279 of his minutes, the said J. Alfred Nadeau, acting personally as usufructuary of the hereinafter described immoveable, and in his capacity of tutor to the person and property of Marie Thérèse Eliane Nadeau, his minor child, duly authorized for the purpose by order of the deputy prothonotary of the Superior Court of the district of Montreal, and Marie Gilberte Anita Nadeau, spinster, Outremont, sold with warranty against all troubles to the said L. Richard Beaudry, a lot of land situate in the town of Outremont, described in said deed, and bearing number one hundred and fifty (150) of the subdivision of lot thirty-three (33) of the official plan and book of reference of the parish of Montreal;

That the price of sale was twelve thousand dollars (\$12,000.), whereof three thousand dollars (\$3,000.00) were paid in cash to the said Marie Gilberte Anita Nadeau, for her share in the said immoveable; six thousand dollars (\$6,000.) were assumed to be payable to the estate of the late J. A. Morin, with interest from the 1st of November, 1915, which interest has always been paid by the purchaser since such date; and three thousand dollars remained payable to the said Marie Thérèse Eliane Nadeau on the 1st of November, 1923, with interest at the rate of seven per cent per annum, payable to the said J. A. Nadeau on account of the usufruct which he had on such said sum, payment whereof

has been made to him semi-annually up to the 8th of November, 1920;

That on the 8th of November, 1920, by deed before R. A. Bergeron, N. P., the said J. A. Nadeau, acting personally as usufructuary of the aforesaid immoveable, and in his capacity of tutor of the said minor, transferred to Irénée Lavallée, farmer, of St. Antoine, the said sum of three thousand dollars (\$3,000.00), due to the said Marie Thérèse Eliane Nadeau, and the interest computed from the 1st of November, 1920;

That, since such transfer, the said L. Richard Beaudry has always paid the interest to the said Irénée Lavallée, and has even paid to the latter five hundred dollars (\$500.00) on account of the said sum of three thousand dollars (\$3,000.-00);

That the said L. Richard Beaudry desires to resell the said immoveable, and cannot do so, because he has discovered that the deed of donation under which the said J. A. Nadeau, Marie Thérèse Eliane Nadeau and Marie Gilberte Anita Nadeau had acquired the said immoveable, the first, in usufruct, and the last two in ownership, contained a clause, declaring the usufruct of the said immoveable to be non-transferrable, and that the said usufruct was given to the said J. A. Nadeau, for his lifetime, by the terms of the said deed of donation made by Nazaire Nadeau, senior, and Dame Marie Olive Rainville, his wife, before the said E. R. Dufresne, N. P., on the 8th of October, 1913;

That it is desirable for all the parties interested, that the above-mentioned deed of sale of the 2nd of December, 1915, be ratified and confirmed;

That the other parties to the said deed, namely: Marie Gilberte Anita Nadeau and Marie Thérèse Eliane Nadeau, now of majority, wife separate as to property by contract of marriage of L. Edward Joseph Morin, of the city of Outremont, accountant, and the latter to authorize his wife, consent to the passing of the act prayed for by the petitioners;

Whereas the petitioners have prayed for the passing of an act to ratify and validate the sale effected by the said deed before E. R. Dufresne, N. P., on the 2nd of December, 1915; 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:

Deed of sale
ratified.

1. The sale effected by the deed made before E. R. Dufresne, notary public, on the 2nd of December, 1915,

under the number 7279 of his minutes, made by J. A. Nadeau, personally and in his capacity of tutor to Marie Thérèse Eliane Nadeau and Marie Gilberte Anita Nadeau, in favour of L. Richard Beaudry, of the immoveable bearing the number one hundred and fifty of the subdivision of lot number thirty-three, of the official plan and book of reference of the parish of Montreal, is confirmed and ratified, and is declared to have always been and to be valid to all intents and purposes, insofar as the usufruct is concerned.

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