

to Elphège Gagnon, and of the deed of sale of the 28th of August, 1915, from Elphège Gagnon to Dame Olivine Lacroix, the petitioner;

That it is expedient to remove such doubts without delay;

Whereas it is expedient to grant the prayer to that effect;

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

1. The following deeds of sale, assignment and transfer are hereby ratified and confirmed and declared legal and valid, namely: Certain deeds of sale, etc., ratified and confirmed.

a. A deed of sale by Joseph Octave Gagnon to Elphège Gagnon, passed at Montreal, on the 5th of July, 1915, before F. G. Crépeau, notary, and bearing No. 19133 of the minutes of his repertory;

b. A deed of sale by the said Elphège Gagnon to Dame Olivine Lacroix, passed at Montreal, on the 28th of August, 1915, before F. G. Crépeau, notary, and bearing No. 19231 of the minutes of his repertory.

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

C H A P. 148

An Act to validate a deed of donation by Olivier Letendre, son of Olivier the son, to Joseph Letendre

[Assented to, the 4th of March, 1925]

WHEREAS Joseph Letendre, farmer, of the parish of Notre-Dame-de-Pierreville, has, by his petition, re- Preamble.
presented:

That on the 30th of April, 1903, by authentic deed, before Aimé Boucher, notary, Olivier Letendre son of Olivier, farmer, of the parish of Notre-Dame-de-Pierreville and Dame Rosalie Larosée, his wife, whom he specially authorized, gave by purely gratuitous title, by gift *inter vivos* and irrevocable, thenceforth and forever, to Mr. Olivier Letendre, son of Olivier the son, also farmer of the same place, their child, present and accepting as donee for himself, his heirs and representatives, a parcel of land situated in the parish of Notre-Dame-de-Pierreville, known and designated under the numbers 365, 366, 332 and 333 of the official cadastre for the parish of St. Thomas-de-Pierreville, and another parcel of land situated in the parish of St. François-du-Lac, among the islands of Lake St. Peter, in

the shape of an island, containing about twenty arpents in area, said parcel of land described as being part of No. 1119 of the official cadastre of the parish of St. François-du-Lac; as appears by an authentic copy of the said deed, annexed to the said petition;

That by the aforesaid deed the said Olivier Letendre also made a gift of all his moveable property;

That by said deed the donors reserved to themselves the use and usufruct of all the property they gave to their son, for their lifetime; upon the death of the first to die the survivor to continue such use and usufruct until his or her death;

That it was expressly stipulated that the donee could not and would not have the right to sell, exchange nor hypothecate the property so given in the lifetime of the donors or of either of them without their written consent;

That it was also stipulated therein that the donee could, in the event of his death, bequeath the said properties to his wife, Dame Delvina Sylvestre, but upon the express condition that she did not re-marry, and in the event of her second marriage the legacy which the donee might make his wife of said properties would lapse, and, in such event, all the properties above given would return and become the property of the children of the donee; the donee could however dispose of the properties, by will, in favour of one or more of his children, at his option:

That such deed of gift was registered in the registry office of the county of Yamaska, on the 17th of October, 1903, under No. 43455;

That the said donors, Olivier Letendre son of Olivier and Dame Rosalie Larosée, his wife, have been dead for several years, as appears by certificate and declaration of death;

That the said certificate and declaration of death were duly registered in the registry office of the county of Yamaska, on the 9th of August, 1917, under No. 15750;

That Dame Delvina Sylvestre, wife of the donee above mentioned, has also been dead for several years as appears by certificate of burial;

That on the 4th of March, 1922, after the death of the said Dame Delvina Sylvestre, by deed, before Omer Ally, notary, Olivier Letendre, son of Olivier the son, farmer, of the parish of Notre-Dame-de-Pierreville, the above mentioned and described donee, made a donation by irrevocable gift *inter vivos* to his son, Joseph Letendre, farmer, of Notre-Dame-de-Pierreville, who by the same accepted the gift, of all the immoveables mentioned and described in the above deed and also of all his moveable property whatsoever possessed by him, as appears by said deed,

That the latter deed of gift was registered in the registry

office of the county of Yamaska, on the 3rd of April, 1922, under No. 64686.

That, in view of the pre-decease of Dame Delvina Sylvestre, the following clause in the deed of gift by Olivier Letendre son, to Olivier Letendre, son of Olivier, passed on the 30th of April, 1903, before Aimé Boucher, notary: "It is also expressly agreed that the donee, in the event of his death, may bequeath the said properties to his wife Dame Delvina Sylvestre, but upon the express condition that she is not to re-marry, and in the event of her second marriage such legacy as the donee may hereafter make to his wife of said properties shall be void, and in that event all the properties above given shall revert and become the property of the children of the donee, the donee may however dispose of said properties by will in favour of one or more of his children, at his option", is without application;

Whereas the petitioner pretends that the above clause or provision may lead to ambiguity and doubts may arise as to the right and power of the said Olivier Letendre, son of Olivier the son, to dispose, as absolute proprietor, of the property given him by the aforesaid deed of gift; and

Whereas it is expedient to grant the prayer of the said petition;

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

1. The deed of gift by Olivier Letendre, son of Olivier the son, to Joseph Letendre, passed on the 4th of March, 1922, before Omer Ally, notary, under the number 317 of his minutes and registered in the registry office of the county of Yamaska, on the 3rd of April, 1922, under No. 64686, is declared valid and final, and the said Joseph Letendre is declared to have become, by the aforesaid deed of gift, absolute proprietor of the above immoveables.

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