

C H A P. 146

An Act to ratify and confirm a sale of immoveable property
by Dame Régina Gougeon *et vir* and others, *ès qualité*,
to Pierre Robert

[Assented to, the 15th of March, 1924]

WHEREAS Dame Vitaline Latour, of the city of Mont-
real, widow of Pierre Robert, in his lifetime gentle-
man, of the town of Ste. Rose, in the county of Laval, has,
by her petition, represented: Preamble.

That by deed of sale executed at Montreal, on the 31st of July, 1912, before A. A. Legault, notary, under the No. 5990 of his repertoire, Dame Régina Gougeon, wife separate as to property of Joseph Olivier Trudel, gentleman, and with him living at Ste. Rose, and duly authorized by the latter, and acting in her capacity as institute of the substitution created in favour of her children under the terms of a deed of donation executed by the late Maurice Gougeon *et uxor*, before J. A. Labadie, notary, on the 19th of January, 1861, and duly registered at Montreal under the No. 29442 G. H. R., and Charles Stanislas Tassé, notary, of the town of St. Laurent, in his capacity as curator to the substitution, sold to the said late Pierre Robert an immoveable property described in the said deed as being lot No. 117-1 of the cadastre for the village of Ste. Rose, in the county of Laval, for the price of seven thousand five hundred dollars, which was paid as hereinafter set forth;

That it does not appear by the deed of donation creating the said substitution that the institutes and the curator had the power so to effect, by mutual agreement, a definitive sale of the property of the substitution, and there was no judicial order to authorize the same;

That, however, the selling price stipulated in the said deed was to the advantage of the substitution, the vendor, and has been paid in full and employed in accordance with the requirements of article 953a of the Civil Code;

That a discharge for the balance of purchase price was given by the vendors by deed before A. A. Legault, notary, on the 18th of September, 1912;

That the family council of the substitutes in the said substitution, summoned for the purpose of these presents, has, according to a *procès-verbal* duly homologated by the prothonotary of the Superior Court at Montreal, expressed the opinion that the said sale, as made, has been to the advantage of the said interested parties, and recommends its ratification by the Legislature;

That the petitioner was married in community of property with the late Pierre Robert, and the immoveable property by him acquired as above-mentioned was an asset of the community;

That the said Pierre Robert, her husband, died on the 18th of February, 1921, leaving a will executed before N. Pérodeau, notary, and colleague, at Montreal, on the 27th of March, 1899, by which he appointed the petitioner his universal legatee;

That by reason of the facts above set forth, the title of the petitioner to the property aforesaid is subject to a defect which she has a serious interest in having removed;

That in the circumstances those interested in the above-mentioned substitution will not suffer any prejudice;

Whereas the petitioner has prayed for the passing of an act to declare valid and definitive the aforesaid sale to the late Pierre Robert, and to ratify and confirm the above-mentioned deed of sale; 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 deed of sale from Dame Régina Gougeon, *et vir*, and Charles Stanislas Tassé, *ès qualité*, therein described as the vendors, to Pierre Robert, therein described as the purchaser, executed at Montreal before A. A. Legault, notary, on the 31st of July, 1912, is ratified and confirmed.

Radiation
authorized.

2. Upon the deposit of the discharge given to the purchaser by Dame Régina Gougeon, *et vir et al*, before A. A. Legault, notary, on the 18th September, 1912, under number 6063 of his minutes, the registrar of the registration division of the county of Laval is authorized to radiate any mention of the hypothec resulting from the said deed for the balance of the purchase price.

Coming into
force.

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