

Proviso. the parties, and the title of the said Petrus Cyr is hereby confirmed, provided that five thousand dollars on the sale price of the said property be invested or deposited in accordance with the provisions of article 953*a* of the Civil Code, and the said purchaser shall be discharged from following this amount once for all from the moment it has been invested by the said institute in accordance with paragraphs 3 and 4 of the said article 953*a*, or deposited with the prothonotary in accordance with paragraph 5 of the same article.

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

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## C H A P. 126

An Act respecting the succession of the late Alfred Dalbec

*[Assented to, the 29th of December, 1922]*

Preamble. **W**HEREAS Jean Rodier, of the city of Montreal, accountant, has, by his petition, represented the following facts:

That the late Alfred Dalbec, in his lifetime, of the city of Montreal, advocate, did bequeath to his children, by will of the 25th of April, 1910, before Léandre Bélanger and colleague, notaries, among other property, the following:

(a) "A lot of land situate on the west side of Fullum street, in the city of Montreal, being part of the lot of land bearing the number 1571 of the official plan and book of reference of St. Mary's Ward, in the city of Montreal, the said part measuring 72 feet 11 inches frontage by 84 feet depth, English measure, situate at a distance of 75 feet from the southeast line of St. Catherine street. The said part of lot bounded in front on the northeast by the said Fullum street; in rear, by a part of the land hereafter described; on the southeast side, by another part of the said lot No. 1571, belonging to Dame L. Chartrand or representative, and on the northwest side, by another part of the said lot No. 1571 belonging to Dr. Roux, or representative, with two houses and other buildings thereon constructed, bearing the civic numbers 92 to 104 Fullum street;

(b) "A lot situate in St. Mary's Ward, in the city of Montreal, measuring 68 feet 6 inches frontage by 223 feet depth, English measure, and forming part of the said lot of land bearing No. 1571 of the official plan and book of

reference of the said St. Mary's Ward, on the level of St. Catherine street, the southwest lateral line of the said lot being at a distance of 68 feet 10 inches from the north-east lateral line of lots Nos. 1572 and 1573 of the said official plan; the said lot bounded in front on the north-west by the said St. Catherine street, in rear by lot No. 1570, on the southwest side by another portion of the said lot No. 1571, belonging to Dame Louise Chartrand, and on the northeast side, by another portion of the said lot No. 1571, and partly by another portion of the said lot No. 1571, belonging to the said Dame Louise Chartrand, with houses, theatre and other buildings thereon constructed, bearing the numbers 1234 to 1236 of St. Catherine street, together with the active and passive servitudes, respecting a right of way established, partly on the said land and partly on the neighbouring lands, for the common use of all persons who may be entitled thereto, to have access from the said above described land to Fullum street”;

That under the terms of the said will the children of the said Alfred Dalbec are charged with substitution in favour of their children; the said Dame Cordélia Blache being usufructuary of all the property in virtue of her marriage contract;

That the immoveables designated above were, on the 20th of November, 1916, sold and adjudged to the petitioner Jean Rodier, after authorization to sell the said immoveables had been granted by one of the judges of the Superior Court for the district of Montreal, upon the petition of the said Dame Cordélia Blache, in her said quality of usufructuary and of Joseph Dupuy, curator to the said substitution, and the said sale was established by a deed of sale on the 4th of January, 1917, by Dame Cordelia Blache in her said quality of usufructuary, and the said Joseph Dupuy, in favour of the said Jean Rodier, before Mtre. J. A. Bariteau, notary, under the number 1753 of his minutes and registered in the registry office for Montreal East, under the number 103600;

That eight thousand dollars have been paid on the purchase price and have been employed in paying debts of the estate;

That doubts have arisen respecting the said sale and adjudication made by the said Dame Cordélia Blache, because the said institutes did not intervene in the said sale, nor as petitioners upon the petition to obtain authorization to sell the said properties, although they had formed part of the family council held for this purpose, except Anita Dalbec, wife of Iver Waagen, who is domiciled in Norway;

That, nevertheless, by a subsequent deed, dated the 2nd of June, 1922, passed before Mtre. Edouard Biron, notary public, the said institutes confirmed and ratified this deed of sale to the said petitioner, including the said Dame Anita Dalbec;

That, nevertheless, because of the above-mentioned doubts, the petitioner has prayed that an act be passed to validate the sale of the said immoveables; 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:

Deed of sale passed by Dame Cordélia Blache and Joseph Dupuy to Jean Rodier is ratified.

**1.** The deed of sale, passed on the 4th of January, 1917, by Dame Cordélia Blache, in her quality of usufructuary of all the property left by the late Alfred Dalbec, and by Joseph Dupuy, curator to the substitution, to Jean Rodier, of Montreal, accountant, and registered in the registry office of Montreal East, by Mtre. J. A. Bariteau, notary public, under the number 1753 of his minutes, of the immoveables therein described, being:

(a) A lot situate on the west side of Fullum street, in the city of Montreal, being part of the lot of land bearing the number 1571 of the official plan and book of reference of St. Mary's Ward, of the city of Montreal, the said part measuring 72 feet 11 inches frontage by 84 feet depth, English measure, situate at a distance of 75 feet from the southeast line of St. Catherine street. The said part of lot bounded in front on the northeast by the said Fullum street; in rear by another part of the land hereafter described; on the southeast side, by another part of the said lot number 1571, belonging to Dame L. Chartrand, or representative, and on the northwest side, by another part of the said lot No. 1571, belonging to Dr. Roux, or representative, with two houses and other buildings thereon constructed, bearing the civic numbers 92 to 104 Fullum street;

(b) A lot situate in St. Mary's Ward, in the city of Montreal, measuring 68 feet 6 inches frontage by 223 feet depth, English measure, and forming part of the said lot of land bearing number 1571 of the official plan and book of reference, of the said St. Mary's Ward, on the level of St. Catherine street, the southwest lateral line of the said lot being at a distance of 68 feet 10 inches from the northeast lateral line of lots numbers 1572 and 1573 of the said official plan; the said lot bounded in front on the northwest by the said St. Catherine street, in rear by lot No. 1570,

on the southwest side by a portion of the said lot No. 1571, belonging to Dame Louise Chartrand, and on the northeast side by another portion of the said lot number 1571, and partly by another portion of the said lot No. 1571, belonging to the said Dame Louise Chartrand, with houses, theatre and other buildings thereon constructed, bearing the numbers 1234 to 1236 of St. Catherine street, together with the active and passive servitudes, respecting a right of way established, partly on the said land and partly on the neighbouring lands, for the common use of all persons who may be entitled thereto, to have access from the said above described land to Fullum street,—

is by this act ratified, confirmed and declared legal and valid in favour of the said Jean Rodier, both as regards the substitutes and the institutes to the said substitution.

The balance of the purchase price shall be invested or deposited for the benefit of the substitution by the executrix and the curator in accordance with the provisions of article 953a of the Civil Code and the said purchaser shall be discharged from following the amount of purchase price once for all from the moment it has been invested in accordance with paragraphs 3 and 4 of the said article 953a or deposited with the prothonotary in accordance with paragraph 5 of the same article.

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

## C H A P. 127

An Act respecting the estate of Dame Eléonore Gauvin

[Assented to, the 29th of December, 1922]

**W**HEREAS Dame Marie Anne Joséphine Albertine Preamble.  
Ostell, wife separate as to property of Armand Bériault, clerk, of the city and district of Montreal, and duly authorized by the latter; Marie Sophie Jeanne Méline Ostell, wife separate as to bed, board and property of Albert Constantin, clerk, of the same place, and judicially authorized for the purposes of these presents; Joseph Thomas Ostell, and Édouard Sydney Ostell, both gentlemen, of the city and district of Montreal, and John Benjamin Ostell, accountant, of the city of Chicago, in the state of Illinois, one of the United States of America, have, by their petition, represented:

That the petitioners are the only grandchildren of Dame