

real on the twenty-seventh day of December, nineteen hundred and nineteen, bearing the number eleven thousand and eighty-four of the minutes of the said notary, and which was duly registered in the office of the registration division of Montreal West on the third day of January, nineteen hundred and twenty, under the number one hundred and sixty-five thousand and eighty-six, and duly registered in the registration division of Hochelaga and Jacques Cartier on the third day of January, nineteen hundred and twenty, under the number three hundred and ninety thousand three hundred and thirty-one, is hereby ratified, confirmed and declared legal and valid for all intents and purposes.

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

C H A P. 160

An Act to ratify and confirm the sale of an immoveable
by Dame Marie Angélique Amanda Rodier *et vir* and
others to Dupuis Frères, Limitée

[Assented to, 14th of February, 1920]

WHEREAS Dame Marie Angélique Amanda Rodier, Preamble.
of Westmount, wife separate as to property of
Patrick O'Leary, physician, of the same place, by the
latter duly authorized, and the said Patrick O'Leary also
acting personally, the institutes in the substitution created
by Charles Séraphin Rodier under the terms of a deed of
gift before Mr. Eustache Prud'homme, notary, on the
5th December, 1877; Dame Patricia O'Leary, of Montreal,
wife separate as to property of Louis Marchand of the
same place, clerk of the Court of Appeals, and the said
Louis Marchand to authorize his said wife; Emile O'Leary,
of Montreal, gentleman; Berthe O'Leary, of Westmount,
spinster, and Renée O'Leary, of Montreal, wife separate
as to property of Joseph Emile Roy of the same place,
manufacturers' agent, and the said Joseph Emile Roy to
authorize his wife, the substitutes of the said substitution,
and the said Louis Marchand, in his capacity of curator
to the said substitution and to the said Émile O'Leary, in-
terdicted, to assist or authorize the latter in so far as may
be necessary, of the one part; and Dupuis Frères Limitée,
a company duly incorporated and having its head office in
the city of Montreal, of the other part; have by their
petition, represented:

That, by a deed passed before Mr. Eustache Prud'homme, notary, of Montreal, on the 5th of December, 1877, Charles Séraphin Rodier, in his lifetime manufacturer, of Montreal, gave by gift *inter vivos* to Dame Marie Angélique Amanda Rodier, his daughter, wife of Patrick O'Leary, physician, of the same place, a certain immoveable property fronting on St. André street in Montreal and known on the official plan and book of reference of St. James ward under the number 806;

That, by the said deed of gift, a substitution was established in favour of the children of said donee and of her brothers and sisters, in the event of the predecease of all the said children, and subject to certain rights of usufruct of the husband of the said donee, the institute, with a prohibition to sell or hypothecate the said immoveable in any manner;

That the institutes, to wit, the donee and her husband, are respectively seventy and eighty-four years of age;

That of their marriage eleven children were born, six of whom died without issue and five are still living and are of the full age of majority, to wit: Dame Patricia O'Leary, wife of Louis Marchand; Emile O'Leary; Dame Yvonne O'Leary, wife of Charles Edouard Turcotte; Berthe O'Leary and Renée O'Leary, wife of Joseph Emile Roy;

That the immoveable property which is the object of the substitution is a dwelling-house, and, at the date of the deed of gift, was in the residential part of St. James ward;

That for some years that portion of the town has become a commercial quarter to such an extent that the property in question no longer has any value as a residence and cannot as such be advantageously used for commercial purposes;

That an offer for the purchase of the same, at a price of thirty-eight thousand dollars, having been made by the company Dupuis Frères, Limitée, to the institutes, the latter accepted it; and in consequence thereof a deed of sale was executed by them, jointly with the curator to the substitution, before Mr. Rosaire Dupuis, notary, of Montreal, on the 8th of January, 1920; that the said Patricia O'Leary and Renée O'Leary and their respective husbands to authorize them, the said Emile O'Leary and his curator aforesaid to assist him, and Berthe O'Leary, intervened in the said deed;

That, under the circumstances, the conditions of the sale are exceptionally advantageous for the substitution;

That it would be in the interest of all interested in the said substitution that such sale be made with all guarantees of a good and valid title to the said property;

That doubts have arisen as to the validity of the sale and of the title it gives to the purchaser;

Whereas the family council summoned for the purpose, according to the minutes duly homologated by the prothonotary of the Superior Court at Montreal, has expressed the opinion that the said sale was in the interest of the parties interested, and has recommended its ratification by the Legislature;

And whereas the petitioners have prayed that an act be passed to ratify and confirm the said deed of sale and to declare the title given the purchasers Dupuis Frères Limitée to be good and valid, and it is expedient to grant their prayer;

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 sale by Dame Marie Angélique Amanda Rodier *et vir*, and the other persons aforesaid, described in the said deed as vendors to Dupuis Frères, Limitée, therein described as the purchaser, and passed at Montreal before Mr. Rosaire Dupuis, notary, on the 8th of January, 1920, is hereby validated, ratified and confirmed; and the property sold by the said deed, to wit: the said immoveable situate on St. André street in Montreal and known on the official plan and book of reference of St. James ward under the No. 806, is declared to be conveyed to the said company Dupuis Frères, Limitée, by good and valid title. Deed of sale ratified.

2. The price of sale, as regards the investment thereof, shall be subject to the provisions of article 953a of the Civil Code, and the purchaser shall be relieved from the obligation of seeing to the investment of his purchase price, once for all, when it shall have been invested or deposited in accordance with the provisions of paragraphs 3, 4 and 5 of the said article 953a. Provisions to apply to investment of price of sale.

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