

C H A P . 125

An Act to validate the deed of sale from James Cochrane King to David Yuile dated nineteenth day of June, one thousand nine hundred and seven.

[Assented to 21st December, 1912]

Preamble.

WHEREAS Dame Margaret King, widow of the late David Yuile, in his lifetime of the city of Montreal, manufacturer, Dame Jane Cochrane Yuile, wife separate as to property of William Lawrence, of the city of New York, in the state of New York, one of the United States of America, manufacturer, Miss Helen Yuile, Miss Abigail Yuile, Miss Margaret Yuile, all of the city of Montreal, and spinsters of the full age of majority, executrixes and William Yuile of the said city of Montreal, manufacturer, executor to the last will and testament of the said David Yuile, have by their petition represented:

That James Cochrane King of the city of Montreal, founder, sold to the said late David Yuile, at the city of Montreal on the 19th day of June, 1907 by deed drawn in authentic form before John Fair, notary public, the following immoveable property namely:

DESCRIPTION

A block of land containing a superficial area of eleven thousand five hundred and forty feet, composed of part of the lots known and designated on the official plan and book of reference of the St. Lawrence ward, of the city of Montreal, as numbers 752, 755, 755-A, 747 and part of a piece of land shown on the said official plan as a lane and as having no official number at that date, but which now and since on or about June 25th 1912, has been included as a part of the lot which is known and designated as lot 747 A on the amended official plan and book of reference of the said ward, the said block of land being more particularly described as follows:

Commencing at a point in the division line between official lots numbers 752 and 751 thirty-five feet six inches distant from the north east side line of said lot number 751; thence at right angles to the said division line in a northwesterly direction a distance of forty-one feet six inches to a point; thence again at right angles in a northeasterly direction a distance of nine feet nine inches to a point; thence again at right angles in a northwesterly direction a distance of seventy-eight feet four inches to a point in the southwest side line of lot number 748; thence at right angles in a northeasterly direction along the said southwest side line of lot number 748, and a prolongation thereof a distance of

sixty-nine feet to the northeast side line of lot number 747 along said northeast line in a southeasterly direction a distance of six feet two inches to a point; thence at right angles in a northeasterly direction a distance of thirty-eight feet six inches to a point; thence at right angles, in a southeasterly direction to a lane or passage, a distance of forty-seven feet four inches; thence at right angles along the northwest side line of said lane in a southwesterly direction a distance of twenty feet to a point; thence at right angles in a southeasterly direction a distance of sixty-three feet three inches to a point; thence at right angles in a southwesterly direction, a distance of sixty-two feet to the place of beginning.

All the above measurements are English measure, and more or less.

Bounded, said block of land, to the southeast by part of lot number 751, part of lot number 752 and the yard in common hereinafter mentioned, being also part of lot number 752; on the north east side partly by the passage in common hereinafter mentioned and partly by a portion of lot number 755; on the northwest side by part of lot number 755 A, part of lot number 747, and part of lot number 748, and on the southwest side by a yard composed of part of lot number 747, and by another part of said lot number 752.

With the buildings thereon erected, whereof the walls on the northeast and northwest sides shall be *mitoyen* between the vendor and the purchaser.

The above described block of land is shown colored green on a plan prepared by Joseph Rielle, P. L. S. dated the 31st of May 1907, whereof a copy was annexed to the said deed and was signed for identification by the parties thereto and John Fair, the said notary public.

The said James Cochrane King also sold and conveyed to the said late David Yuile by the said authentic deed of June 19th, 1907, all his rights in the piece of land, situate on the southwest side of the land sold by the said deed, colored yellow and marked "Yard" on the said annexed plan, the said piece of land measuring about twenty feet in width at its northwest end by a length of about seventy-nine feet and also nine feet eight inches in width by a further length of fifteen feet eleven inches at the southeast end thereof, the whole more or less, and the said piece of land being lot number 8 on the plan of the property of the late Warden King, deposited in the office of the said John Fair, notary public, on the 29th day of June 1895, subject to the conditions contained in the will of the said late Warden King, that said lot number 8 is "to be and remain open for the purposes of light and ventilation to the properties bequeathed to his son the said James Cochrane King, and to his daughter Dame Abigail Ann King", wife separate as to property of James R. Lowden of the city of Montreal, said piece of land consisting

of a part of official lot 747 and a part of official lot 747a of said ward and bounded on the southwest side by official lot 749 and part of said official lot 747 of St. Lawrence ward, on the northeast side by part of official lot 752, part of said official lot 747A and another part of said lot 747; on the north side by official lot 748 and on the south side by another part of said official lot 752 of said ward.

That the said James Cochrane King had acquired all the said immovable property, including the said lane, now included as aforesaid as a part of cadastral lot 747 A, of the said St. Lawrence ward, and the said piece of land colored yellow and marked "Yard" on the said annexed plan as aforesaid, under the last will and testament of his father the said late Warden King, said last will and testament drawn in notarial form before the said John Fair, notary public, on the said 29th day of June 1895.

That the said last will and testament of the said late Warden King became effective by his death on July 15th, 1895, and it was duly registered in the registration division of Montreal East on January 24th, 1896.

That as regards the said piece of land, shown as aforesaid on the official plan and book of reference of the said St. Lawrence ward as a lane and as having no official number when sold by the said James Cochrane King to the said David Yuile, and as regards the said piece of land, situate on the southwest side of the land sold by the said deed colored yellow and marked "Yard" as aforesaid on the said annexed plan, certain doubts have arisen as to the absolute and perfect title of the ownership of the said James Cochrane King therein at the time he sold the same, as aforesaid, to the said David Yuile and consequently as to whether the said David Yuile received an absolute and perfect title of ownership to the immovable property sold and conveyed to him by the said deed.

That the said late Warden King at the time of his death was sole owner of the said piece of land so shown as a lane and of the said piece of land colored yellow and marked "Yard" as aforesaid and had been in peaceable and public possession thereof as owner for several years prior to his death, and no one other than himself had any rights whatever thereon.

That the said late Warden King by his said last will and testament reserved in and upon the said piece of land colored yellow and marked "Yard" on the said annexed plan, certain rights but only as regards light and ventilation for the benefit of lots part 747, lot 749 and part lot 752 of the said ward, all bequeathed by him by his said last will and testament to his daughter the said Dame Abigail Ann King.

That the said Dame Abigail Ann King by deed of renunciation before R. A. Dunton, N. P. on the 14th day of December, 1912 waived and abandoned forever in favor of the estate of the said

late David Yuile all her rights of light and ventilation to the said piece of land colored yellow and marked "Yard" on the said annexed plan, and is in favour of the granting of the petition of the said petitioners, and no other person has any right to offer objection thereto.

Whereas the said petitioners have prayed that an act be passed to remove the above mentioned doubts and to confirm, ratify and declare valid and perfect the title of the ownership of the immoveable property acquired by the said David Yuile in virtue of the said deed of sale from James Cochrane King to himself, and 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:

1. The said authentic deed of sale passed before John Fair, notary public on June 19th 1907, by which David Yuile of the city of Montreal manufacturer, purchased the above described immoveable properties, with all the buildings thereon erected, to wit: part of cadastral lot 752, part of lot 755, part of lot 755A, and part of lot 747 of the St. Lawrence ward city of Montreal, and the said piece of land shewn on the official plan and book of reference of the said ward as a lane and as having no official number when sold by the said James Cochrane King to the said David Yuile but now part of official lot 747A, of the amended plan and book of reference of the said ward, and also the said piece of land situate on the southwest side of the land sold by the said authentic deed colored yellow and marked "Yard" on the plan annexed to the said deed, consisting of a part of official lot 747 and a part of official lot 747A of said ward, was from the time it was passed and is a definitive and final alienation of the said immoveable properties, and all appurtenances thereto belonging, and the title of ownership to the said immoveable property thereby sold and conveyed to the said David Yuile, is confirmed, ratified and declared valid and perfect to all intents and purposes whatsoever.

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