

C H A P . 1 3 8

An Act to ratify a sale by licitation to Joseph Arthur Bilodeau, of the city of Montreal, of certain immoveables in the town of Maisonneuve.

[Assented to 3rd April, 1912.]

Preamble.

WHEREAS Joseph Arthur Bilodeau, real-estate agent, of the city of Montreal has by his petition represented, that on the 8th June, 1911, at Three Rivers, after the fulfilment of all the formalities required by law, the Superior Court of the district of Three Rivers gave an order following upon a resolution of a family council and a report of experts, authorizing the sale, in a whole block or separately, of the undivided shares belonging to Maurice and Georgette Buist, minor children, issue of the marriage of the late P. George Buist and Dame Lizzie Lescadre and to Philippe Buist, interdicted, as heirs of the late P. O. Trudel, in the following immoveables, to wit : the lots of land known and designated on the official plan and book of reference of the incorporated village of Hochelaga under the Nos. 732 to 741, inclusive, 1092 to 1106, inclusive, 1055 to 1066, inclusive all being subdivisions of the original lot No. 14 of the official plan and book of reference of the said village of Hochelaga;

That under the terms of the said order the sale of the said immoveables by licitation was advertised for fifteen days in the French newspaper "La Presse" and in the English newspaper "The Star" as to be effected to the highest bidder on the 6th July, 1911, at ten o'clock in the forenoon, in the town of Maisonneuve, in the district of Montreal, at the town hall;

That afterwards, on the 6th July, 1911, at the place and hour mentioned in the said notice, L. E. Germain, notary, of Saint Stanislas de la Rivière des Envies, specially appointed to that effect by the said order, proceeded to publicly sell to the highest bidder, the immoveables above described belonging to the said heirs;

That the public announcement of the sale and adjudication were made by a bailiff of the Superior Court of the Province of Quebec who promised under oath to make such publication and adjudication without favour to anybody, and the said immoveables were put up at the upset price of nine thousand five hundred dollars, the price fixed by the order, and after several calls for bids, and a reasonable time having elapsed and as nobody bid over the said amount, the said immoveables were adjudged, with the consent of the interested parties, for the said sum of nine thousand five hundred dollars to the petitioner Joseph Arthur Bilodeau, as being the highest and last bidder;

That all the heirs who are of full age and capable of acting have consented to the said proceedings and of the sale by licitation ;

That the petitioner paid on account of the price of sale two and half per cent on the price of adjudication, say two hundred and thirty-seven dollars to the said notary Germain according to the conditions of sale ;

That the petitioner further paid to one of the heirs, Nestor Désilets, his share of the price of sale, say eight hundred dollars ;

That the petitioner has always been ready, since the 6th July 1911, and is still ready to pay the balance remaining due of the said price of sale according to the terms and conditions of the said licitation ;

That the petitioner, on the 31st July, 1911, relying upon the said sale, sold to the Honourable G. E. Amyot, manufacturer, of Quebec, the lots Nos. 732, 733, 734, 735, 736, 737, 738, 739, 740 and 741 of the said cadastral subdivision at the rate of twenty-five cents per foot, undertaking to deliver to the said Amyot the title deeds of the said property free from all charges ;

That on the 10th August last after the fulfilment of the formalities required by law, the prothonotary of the Superior Court of Three Rivers homologated a declaration and advice of the family council, authorizing the payment of the sum of sixteen hundred dollars upon the price of sale, eight hundred dollars thereof representing the share belonging to the interdicted Philippe Buist, and eight hundred dollars, the share of the minor children Maurice and Georgette Buist to the prothonotary of the Superior Court for the district of Three Rivers, who is to keep the said sums of money in his possession until they are more advantageously invested ;

That in the declaration, and advice of the family council, all the parties interested declared that the petitioner purchased the immoveables above mentioned as the highest bidder, on the 6th July, 1911 ;

That doubts and difficulties have arisen in consequence of the fact that in the original notice mention was omitted of the fact that the cadastral numbers in question were the subdivisions of the original cadastre No. 14, and doubts have arisen as to the legality of the said sale by licitation ;

That the petitioner acted in good faith and that in view of his engagements and promises of sale in connection with the properties in question, he would be subject to annoyance and liable for considerable damages if the said sale by licitation were cancelled owing to the aforesaid irregularities ;

Whereas the said Bilodeau has asked in his petition that the said sale by licitation of the immoveables in question be ratified and declared valid to all intents and purposes, and that he be

declared the purchaser of the said immoveables after the complete fulfilment of all the conditions mentioned in the orders of the Superior Court authorizing the said sale by licitation and determining in what manner the price shall be paid and distributed;

Whereas it is expedient to grant the prayer contained in 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 :

Certain certificate of licitation ratified, &c.

1. The purchase at the sale by licitation made after public notice on the 6th July, 1911, in the town hall of Maisonneuve to Joseph Arthur Bilodeau, real estate agent, of the city of Montreal, as the highest and last bidder, for the price of nine thousand five hundred dollars, is ratified, and the said J. A. Bilodeau is declared to be the purchaser of the said immoveables under the conditions of the judicial orders given by the Superior Court of the district of Three Rivers, on the 8th June, 1911, and the 10th August, 1911, authorizing the said sale by licitation and determining the manner in which the said price of sale was to be paid; and the said immoveables so sold and whereof the said J. A. Bilodeau is hereby declared to be the purchaser on the aforesaid conditions, are hereby declared to be those known and designated on the official plan and book of reference of the caadstre of the incorporated village of Hochelaga under the following numbers, to wit 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065 and 1066, all being subdivisions of the original lot No. 14 of the official plan and book of reference of the said cadastre of the incorporated village of Hochelaga.

Coming into force.

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

CHAP. 139

An Act to confirm and ratify a deed of sale from Joseph Charron to Avila Romuald Marsolais, Philippe H. Lesage and Jean Girouard.

[Assented to 3rd April, 1912.]

Preamble.

WHEREAS, Avila Romuald Marsolais, physician of the city and district of Montreal, Philippe Henri Lesage, physician of the town of Longueuil and Jean Girouard, physician and Legislative Councillor also of the town of Longueuil, have, by their petition, represented;