

in answer to a notification sent me by Mr. Simon Lacombe, *ès-qualité*, on the 9th July, 1910, through J. A. Landry, notary, that I am prepared to concur in my capacity of curator to the substitution created by the will of the late Dame Marie Louise Durand *dit* Desmarchais, widow of the late Joseph Lacombe, in any sale which shall be made :

- a. According to law ;
- b. According to the will of the said Dame Marie Louise Durand *dit* Desmarchais, dated the 22nd May, 1890 ;
- c. In accordance with the judicial authorization.

Notwithstanding the short notice which has been served upon me, I proceed this day to the office of the notary, Honorable N. Pérodeau, to sign any deed in accordance with what I have said above and I deposit there the present writing.

Done and signed in duplicate, at Montreal, the 11th day of July, 1910.

(Signed) JOSEPH LACOMBE.

Signed by the parties and the undersigned notary for identification, as being the writing or declaration of Joseph Lacombe mentioned in the above deed of sale and written elsewhere herein, executed this day, before the undersigned notary by Mr. Simon Lacombe, *ès-qualité* to Mr. Lambert Lyman.

Montreal, this 11th July, 1910.

(Signed) SIMON LACOMBE,  
 " L. LYMAN,  
 " N. PÉRODEAU, N. P.

True copy.

N. PÉRODEAU, N. P.

## CHAP. 128

An act to confirm the title of James Maher to lot 331, parish of Sault au Récollet.

[Assented to 24th March, 1911]

Preamble.

**W**HEREAS, James Maher of the town of Outremont, contractor, has, by his petition represented :

That by deed of sale passed before P. J. B. Crevier, notary, of date 23rd December, 1910, he purchased from Gervais Cousineau *et al*, a certain lot of land known as No. 331 on the official plan and book of reference of the parish of Sault au Récollet, which property the said Gervais Cousineau had bought from

one Napoléon Groulx by deed before C. S. Tassé, notary, of date 29th November, 1908, who had acquired it from his father, Joseph Groulx, junior, by deed before A. Lecours, notary, of date 6th March, 1897 ;

That the said lot formed part of an estate or community of property between Joseph Groulx, the father of Joseph Groulx, junior, above mentioned, and his wife, Scholastique Martin, who died on the 15th May, 1856, and 30th December, 1856, respectively, after having made their wills before A. C. D. Decelles, notary, bearing date the 1st May, 1854, whereby they bequeathed all their property, including the lot in question herein, to their son Joseph jointly with his brothers Benjamin and Gaspard Groulx ;

That in the year 1858 by two deeds, which do not appear to have been registered and which it is impossible now to trace, the said Benjamin Groulx disposed of his one-third interest in said lot to his brothers, Gaspard and Joseph, junior, who entered into undivided possession of said property until the 27th April, 1879, when the said Gaspard Groulx died leaving a will whereby he appointed as his universal legatee his wife, Marguerite Aumond *dît* Francœur, who thereafter sold to his surviving brother, Joseph Groulx, junior, all her right, title and interest to the said property under her said husband's will ;

That the said Benjamin Groulx died unmarried and intestate on the 7th March, 1908 ;

That the said Joseph Groulx, junior, remained in sole and undisputed possession of the whole of the said lot until the date of the above mentioned sale by him to his son, Napoléon Groulx, and he and all the other members of the family and parties concerned have proceeded for over fifty years past on the assumption that he and his two brothers were the absolute owners of said property, and entitled to deal with it as such ;

That doubts have arisen as to the effect and interpretation of the wills of the said Joseph Groulx Sr. and his wife, Scholastique Martin, it being open to doubt whether a usufruct or a substitution was thereby created ;

That all persons, of full age and in the exercise of their rights, having any right, title or interest in said immoveable property have ratified the deed of sale by Joseph Groulx to Napoléon Groulx ;

And whereas it is the intention and desire of the petitioner to subdivide the said property into building lots, and it is in the interest of all parties concerned that the deeds above mentioned be ratified and that his title to the said lot be confirmed to avail for all legal purposes ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Certain deed  
of sale autho-  
rized.

1. The above mentioned deeds of sale of lot 331 on the official plan and book of reference of the parish of Sault au Récollet, executed by Joseph Groulx to Napoléon Groulx, before A. Lecours, notary, of date 6th March, 1897 ; by Napoléon Groulx to Gervais Cousineau, before C. S. Tassé, notary, of date 29th November, 1908, and by Gervais Cousineau *et al.* to James Maher, before P. J. B. Crevier, notary, of date 23rd December, 1910, are hereby ratified and confirmed.

Investment  
of price of  
sale, &c.

The price of sale set forth in the said deed of the 29th November 1908, shall 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 the amount of the purchase price, once for all, so soon as it has been invested by the vendor, Napoleon Groulx, 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.

## CHAP. 129

An Act to authorize Monklands Limited to open public streets and roads of a less width than sixty-six feet on the immoveable property known and designated as part of lot No. 48, part of lot No. 150 and part of Lot No. 213 of the parish of Montreal.

[Assented to 24th March, 1911]

Preamble.

**W**HEREAS, Monklands Limited, of the city of Montreal, has, by its petition represented :

That the petitioner has recently acquired certain immoveable property known and designated as part of lot No. 48, part of lot No. 150 and part of lot No. 213 in the parish of Montreal, situated on the western slope of the Westmount Mountain, in Notre Dame des Grâces and Mount Royal wards, in the city of Montreal, for the purpose of developing the said immoveable property as a high class residential section, by means of one street sixty feet wide with suitable planting spaces, sidewalks and connecting roads of forty feet in width ;

That the petitioner has had a subdivision plan made of the said immoveable property ;

That in view of the grades and the nature of the land in general, it is considered inadvisable to open, establish and maintain streets of a width of sixty-six feet as required by the by-laws of the city of Montreal ;