

Fréchette, shall not be bound to see to the use or re-investment of the moneys derived from the sale mentioned in section 1 of this act, and the use of the said moneys made by the said Louis Fréchette, in his capacity of administrator, is declared valid to all intents and purposes.

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

Coming into force.

CHAP. 109

An Act to ratify a certain deed of gift by Pamphile P. V. DuTremblay to Raoul DuTremblay, under certain restrictions

[Assented to 4th June, 1910]

WHEREAS, Raoul DuTremblay, farmer, of Ste. Anne de la Péraade, in the county of Champlain, has, by his petition represented :

That by various deeds of concession, the seigniors of the *fiefs* and seigniories of Ste. Anne and of Dorvillier, granted to the grantees of certain lands in the said seigniories a right of pasture in common, on a land now known and designated on the official cadastre of the parish of Ste. Anne de la Péraade, under the No. 43 ;

That by the act 1 William IV, chapter 31, the Legislature of the former Province of Lower Canada had granted to the persons who had such rights of pasture in common, a charter for the governing of the said land, until the 1st May, 1850, but since the latter date, no provision has existed regarding the administration and use in common of the said land ;

That when the seigniorial cadastre of the said seigniories was made, the said land was entered as being the property of the said seigniors, but was designated under the name of "the common," and that all the inhabitants who had, owing to their respective concessions, the right to pasture and had not retroceded the same to the seigniors, were entered as having the right of commonity therein, on account of their lands ;

That on the 16th May, 1876, the *fief* and seigniority of Dorvillier and all the rights connected therewith were acquired from the sheriff of the district of Three Rivers by the Reverend Isidore Béland, as being the last and highest bidder at the sale thereof, under judgment ;

That on the 11th May, 1877, by authentic deed before P G. Beaudry, notary, Pamphile P. V. DuTremblay himself

acquired the said *fief* and seigniorship of Dorvillier and all the rights connected therewith from the testamentary executors of the said Reverend Isidore Béland ;

That, on the 23rd August, 1881, the said P. P. V. DuTremblay, acquired by deed before the same notary, from Evan John Price all his rights of ownership and other rights whatsoever that might belong to him, as seignior, owning the seigniorship of Ste. Anne de la Pérade or otherwise, in the said land known under the name of "the common," of the seigniorship of Ste. Anne and of the *fief* or seigniorship of Dorvillier and being No. 43 of the cadastre of the parish of Ste. Anne de la Pérade ;

That the said Evan John Price had himself acquired the said seigniorship by authentic deed before W. Bignell, notary, at Quebec, on the 4th November, 1865, from the Honourable Edward Hale and from George Carleton Hale, in their capacity of representatives of all the heirs of the late Honourable John Hale who had himself acquired it from the sheriff of the district of Three Rivers, on the 6th October, 1820, as the highest and last bidder at the sale thereof, under judgment ;

That by the various titles set forth in the deed of donation of the 24th day of February, 1910, hereinafter mentioned, the said P. P. V. DuTremblay has acquired the rights and shares of the community in the said lot of land No. 43 which had been conceded by the seigniors to the grantees of the land described in the fourth paragraph of the said deed ;

That on the 5th May, 1888, the said lot No. 43 was sold under judgment against the said Pamphile P. V. DuTremblay, by the sheriff of the district of Three-Rivers, without opposition from anybody at the suit of H. G. Méthot, and was acquired by Dame Clémentine Dufort ;

That on the 13th March, 1893, the latter, by deed before P. G. Beaudry, notary, sold one undivided sixth to Ludger Jolin, and the five other sixths to T. H. Laganière, J. H. Laganière, C. H. Laganière and P. H. Laganière ;

That on the 22nd April, 1895, the said P. P. V. DuTremblay purchased the undivided five sixths from the said T. H. Laganière and others, by deed before A. Beaudry, notary, and on the 23rd February, 1910, he purchased the other undivided sixth from the said Ludger Jolin, by deed before J. A. P. Charest, notary ;

That on the 24th February, 1910, by deed passed before J. A. P. Charest, notary the said P. P. V. DuTremblay, gave by gift *inter vivos* to the said Raoul DuTremblay, the said lot No. 43 with all rights in the community thereof which he had acquired and which are set forth at length in the said deed ;

That the said deed and all the titles of his *auteur*, the said P. P. V. DuTremblay were registered at the proper place ;

That, nevertheless, the said petitioner consents to be considered only as the undivided owner of the said lot No. 43 with all the other representatives of grantees with the right of commonity in proportion, for each one, to the area of land, in virtue of which he has a right of commonity ;

Whereas the said petitioner has prayed that an act be passed to ratify and confirm the deed of gift above mentioned, and to declare that he is the undivided co-proprietor of the said land, with the other persons representing grantees with the right of commonity, and it is expedient to grant his 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 authentic deed of gift before J. A. P. Charest at Ste. Anne de la Pérade, on the 24th February, 1910, by Pamphile P. V. DuTremblay to Raoul DuTremblay, is ratified, confirmed and declared valid to all intents and purposes, saving the other provisions of this act. Certain deed ratified.

2. The said Raoul DuTremblay is and remains, so long as the property remains undivided, the undivided co-proprietor of the lot now known and designated under the No. 43 of the official cadastre of the parish of Ste. Anne de la Pérade, with all the other persons representing grantees, with right of commonity in the seigniories of Ste. Anne and of Dorvillier, whose said rights have not been acquired by the said Raoul DuTremblay, or by his *auteurs*, and whose rights are not otherwise extinguished, the share of the said Raoul DuTremblay being in proportion to the area of land set forth in the fourth paragraph of the deed hereinabove mentioned of the 24th day February, 1910, to wit : to the area of the land now known and described on the said plan and book of reference by the Nos 1, 2, 3, 4, from and including No. 6 to No. 25 inclusive, Nos. 28, 29, 30, 32, 34, 34a, 34b, 35, 39, 41, 42; from and including No. 44 to No. 201 inclusive, from and including No. 203 to No. 358 inclusive, Nos. 408, 409, 410, 411, 414, 415, 416, 417, 417a; from and including No. 462 to No. 485 inclusive; from and including No. 766 to No. 771; from and including No. 774 to No. 785, No. 787, and part of lots Nos. 412, 413, and 788 ; and the share of each of the other legal representatives of grantees of rights of commonity, being proportionate to the area of land under which he holds such right of commonity. R. DuTremblay undivided owner of certain property, &c.

The said Raoul DuTremblay and his undivided co-proprietors, shall elect each year, in the first judicial Monday of May, in the manner hereinafter mentioned, three trustees to administer the said immovable, determine the number of animals that Election of trustees to manage property, &c.

each one may pasture thereon, and to divide, in proportion to the rights of each party, the cost of the maintenance and management of the said immoveable.

Trustees how appointed. One of the trustees shall be appointed by the said Raoul DuTremblay, another by other undivided owners of the said immoveable, and the third by the two first trustees, or if such trustees do not agree, by a judge of the Superior Court upon the application of one of the interested trustees.

Certain right not affected, &c. **3.** The present act shall not affect the other rights that the owners of land described in the cadastre of the parish of Ste. Anne de la Pérade from No. 1 to No. 38 may have acquired upon the portion of the said lot No. 43 in front of their respective lands nor the rights of hunting or of salmon fishing which may belong to the heirs or legal representatives of the late Evan John Price, in virtue of the following reserve in the said authentic deed passed before P. G. Beaudry, notary, on the 23rd day of August, 1881, to wit: "The vendor nevertheless reserves in favor of the said Evan John Price, Esquire, and his heirs and legal representatives, the right of hunting or of salmon fishing by nets or otherwise, on the said common and the frontage thereof, and upon all the channels present or future upon the frontage of the said common."

Coming into force. **4.** This act shall come into force on the day of its sanction.

CHAP. 110

An Act respecting the gift *inter vivos*, dated the 25th February, 1869, in favor of Charles Adam and his wife Dame Angéline Plouffe, by Louis Savignac, and to authorize the donees to sell the property given,

[Assented to 4th June, 1910]

Preamble. **W**HEREAS Charles Adam, farmer, and his wife Dame Angéline Plouffe, both of the parish of St. Félix de Valois, in the district of Joliette have by their petition represented:
That by deed of gift *inter vivos*, passed before Mtre. Crépeau, notary, at St. Félix de Valois, on the 25th February, 1869, and registered at Joliette under the No. 14,339, Mr. Louis Savignac, in his life-time farmer, of St. Félix de Valois, gave to Charles Adam, and his wife Dame Angéline Plouffe of the same place, a lot of land known, since the coming into force of the cadastre, as Nos. 382 and 383 of the official cadastre for the said parish of St. Félix de Valois;