



63 VICTORIA

CHAP. 112

An Act to validate the sale by George Henshaw Holt to
Louis Alexandre Boisvert, dated the 5th September, 1890

[Assented to 23rd March, 1900]

WHEREAS Jacques Joseph Boisvert, of Quebec, in his Preamble.
capacity of testamentary executor of the estate of Louis
Alexandre Boisvert, has, by his petition, represented :

That an authentic deed of sale was passed at Quebec on
the 5th September, 1890, by which George Henshaw Holt,
of the parish of St. Jean d'Iberville, gentleman, represent-
ing, under notarial powers of attorney, his wife Dame Ellen
Macpherson ; Dame Mary Macpherson, wife separated as to
property of James Harvey, of the parish of St. Raymond,
clerk ; Dame Margaret Macpherson, of the city of Montreal,
widow of Charles Gates Holt, in his lifetime of Quebec,
Queen's Counsel ; Dame Ellen Georgiana Burnham Holt, wife
of St. George Knight, of the town of Lachine, book-keeper,
and Miss Margaret Cecilia Holt, of the city of Montreal,
spinster, sold to Louis Alexandre Boisvert, of the city of
Quebec, hotel-keeper, for the sum of \$8,000 cash, a lot of
land situate in the Lower Town of Quebec, being now known
and designated as lot No. 2 of the subdivision of lot No. 2098
of the official cadastre of St. Peter's ward of the city of Quebec,
with buildings thereon erected, circumstances and depen-
dencies ; whereas the said vendors mentioned in the deed of

sale passed before E. J. Angers, notary public, on the 5th September, 1890, at the city of Quebec, were and still appear to be the only parties interested under the will of the late Laughlan Thomas Macpherson, in his lifetime of the city of Quebec, notary, made before E. B. Lindsay and colleague, at the city of Quebec, on the 15th April, 1868.

That the said immoveable formed part of the real estate of the succession of the said Laughlan Thomas Macpherson, and that doubts have arisen as to the validity of the said sale ;

Whereas the petitioner has prayed that an act be passed to remove such doubts, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain deed
of sale rati-
fied.

1. The authentic deed of sale passed at Quebec, on the 5th September, 1890, by which George Henshaw Holt, representing Ellen Macpherson, Mary Macpherson, Margaret Macpherson, Ellen Georgiana Burnham Holt and Margaret Cecilia Holt, sold to Louis Alexandre Boisvert, of Quebec, hotel-keeper, for the sum of \$5,000 cash, a lot of land situate in the Lower Town of Quebec, being now known as lot No. 2 of the subdivision of lot No. 2098 of the official cadastre of St. Peter's ward of the city of Quebec, is valid to all intents and purposes.

Power to sell
certain prop-
erty.

Proviso.

2. The said J. J. Boisvert, in his said quality of executor under the will of the late L. A. Boisvert, may sell and dispose of the said property, provided the sum of \$8,000 of the purchase price shall remain, in the hands of the purchaser, as a mortgage on the said property, until the said J. J. Boisvert in his said quality shall show, to the satisfaction of a judge of the Superior Court sitting in the district of Quebec, that the amount of \$8,000, paid by the said L. A. Boisvert under the deed mentioned in the last section, has been employed or invested in the interest of the parties entitled thereto under the terms of the will of the said L. T. Macpherson.

Recourse of
J. J. Boisvert
against ven-
dors.

3. Notwithstanding sections 1 and 2 hereof the said J. J. Boisvert, in his said quality, may exercise his recourse in warranty against the vendors mentioned in said deed of sale validated by section 1 respecting the said price of sale of \$8,000.

4. Said warranty shall, however, cease to exist upon the Duration of said warrantors placing the said J. J. Boisvert in a position ^{guarantee.} to obtain payment of the said \$8,000 under section 2.

5. This act shall come into force on the day of its sanc- ^{Coming into} tion. _{orce.}

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Most Excellent Majesty.