

if any they have, shall be against the moneys, the proceeds of the said property, deposited in the hands of the Treasurer.

Proviso, in event of the death of G. W. Simpson or H. Fry.

3. In the event of the death, resignation or refusal to act of the said Geo. W. Simpson or the said Henry Fry, or both of them, a judge of the Superior Court for the district of Montreal shall appoint, upon the petition of the petitioners named in this act or any of them, another person or persons to act in the room and stead of Geo. W. Simpson or Henry Fry, and such person or persons shall continue all proceedings and have all the powers and privileges conferred by this act on the said Geo. W. Simpson and Henry Fry.

Further proviso.

In the event of the death or resignation, or refusal to act of said appointee or appointees, another or others may be similarly and in like manner appointed and shall have the like powers and privileges.

Coming into force.

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

## C A P. X C.

An Act to ratify a deed of sale by His Grace Edouard Charles Fabre, Archbishop of Montreal, and the Reverend Calixte Ouimet to Philibert Tétrault.

[Assented to 21st December, 1895.]

Preamble.

WHEREAS His Grace Archbishop Edouard Charles Fabre, and the Reverend Adolphe Bérard, in his quality of parish priest of the parish of Saint François Xavier de Verchères, have, by petition, represented :

That Dame Marie Perrot, widow of the late François Jarret, *Sieur* de Verchères, both in her own name and as tutrix to the children of her late husband and herself, did, on the nineteenth day of January, one thousand seven hundred and ten, before Mtre Adhémar, royal notary, give and concede, amongst other immoveables, unto the *curé* of Verchères and his successors, thereof accepting through the Reverend Louis de Lafarge, *curé* of the said place, thereunto present, ninety arpents of land in superficies, and a lot in the said seigniorie three arpents in front by thirty arpents in depth, adjoining in front to the rear of the lands of Joseph and Jacques Tétrault, in rear and on both sides to the unconceded lands of the said seigniorie ;

That such gift and concessions were so made under the terms of the deed, on condition that the immoveable

above described shall serve only for the said parish priests, and in default shall revert to the domain ;

That the said Reverend Mr. de Lafarge and the *curés*, his successors, have, from the nineteenth of January, one thousand seven hundred and ten, aforesaid, to the twenty-ninth of September, one thousand eight hundred and ninety-two, been in uninterrupted possession of the said immoveable and have always enjoyed the same peacefully and without trouble, thus making a possession of one hundred and eighty-two years and eight months ;

That, for many years, the priests who have succeeded the said Reverend Mr. Lafarge as *curés* of Verchères, were unable, in virtue of their office, to cultivate the said immoveable directly, and they were only able to receive a yearly decreasing revenue through the increased expenditure and charges of farming and maintenance ;

That, by deed of sale before E. E. Chagnon, notary, at Verchères, on the twenty-seventh of June, one thousand eight hundred and ninety-two, His Grace Edouard Charles Fabre, and the said Calixte Ouimet, the then parish priest of the parish of Saint Francois Xavier de Verchères, sold, with all legal warranties, unto Philibert Tétrault, of the same place, farmer, accepting thereof, the said immoveable, now known and designated as number two hundred and seventy-seven, on the official plan and book of reference of the municipality of the said parish of Verchères, for the price of twenty-three thousand *livres*, former currency of this Province, equal to three thousand eight hundred and thirty-three dollars and a third, of the present currency, which the purchaser promised and undertook to pay, under special hypothec of the immoveable sold, unto the said Reverend Mr. Ouimet, in his capacity aforesaid, or to his successors in the office of *curé* of Verchères, in the event of the said Reverend Mr. Ouimet leaving the said parish, by annual payments of one hundred and sixty-six dollars and sixty-six and two-third cents currency, with interest at the rate of five per cent on the price of the said sale ;

That it is stipulated in the said deed that the said sum so paid as aforesaid by the purchaser shall be invested for the benefit of the *curé* of the parish of Verchères, with the joint approval of the Archbishop and the *curé* ;

That, by the terms of the said deed, it is lawful for the said purchaser Tétrault to keep in his hands the whole or a portion of the price of sale by paying interest yearly on the whole of the capital, and, the better to secure the payment of the capital and interest of the said price of sale, the said purchaser Tétrault did specially mortgage, in favor of the vendors *ès-qualité*, to the amount of fifteen hundred dollars, a lot of land belonging to him and adjoining

the immoveable aforesaid, being number two hundred and seventy-eight of the same official plan and book of reference ;

That, by the terms of the said deed, the said purchaser Tétrault has the right to exact the removal of the additional hypothec above-mentioned when he shall have paid the amount of fifteen hundred dollars on account of the capital of the price of sale ;

That, in order to give effect to the said deed of sale of the twenty-seventh of June, one thousand eight hundred and ninety-two, it is necessary that it be ratified, confirmed and declared valid by an act of the Legislature of the Province of Quebec ;

Whereas the Honorable Charles B. de Boucherville, Senator of the Dominion of Canada, has, by deed passed before J. Marion, notary, on the twenty-sixth of November, one thousand eight hundred and ninety-five, renounced to all rights which he, as representing the rights of the donatrix above-mentioned, might have on the said immoveable which forms the object of the said sale ;

Whereas it is expedient to grant the prayer of the said petition ;

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 deed of sale by His Grace Edouard Charles Fabre, Archbishop of Montreal, and the Reverend Calixte Ouimet, *ès-qualité*, passed before E. E. Chagnon, notary, at Verchères, on the twenty-seventh of June, one thousand eight hundred and ninety-two, and registered in the registry office of the county of Verchères on the thirtieth of June of the same year, is hereby confirmed, ratified and declared valid and legal, and to have force and effect on the terms and conditions therein mentioned, notwithstanding any provisions to the contrary contained in the deed of concession above recited, and consequently the said Philibert Tétrault shall, in virtue of the said deed of sale, remain the immovable owner of the immoveable therein described.

Purchaser  
thereunder  
confirmed in  
his ownership.

Purchaser not  
obliged to  
see to appli-  
cation of pur-  
chaser price.  
Discharge by  
*curé* of Ver-  
chères.

**2.** The said purchaser, Philibert Tétrault, shall not be responsible for the investment of the proceeds of the sale, and he shall be fully discharged by the acquittance which shall be given him therefor by the present *curé* of Verchères or his successors in office.

Coming into  
force.

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