

## CAP. XCI.

An Act to ratify the deeds of sale and adjudication between the heirs and representatives of Joseph Robereau Duplessis and his wife, Marie Cathérine Cardinal, and Louis Félix Robereau Duplessis.

[Assented to 21st December, 1895.]

WHEREAS it has been represented by petition : Preamble.

That the heirs and representatives in a state of minority, interdiction or other disqualification of Joseph Robereau Duplessis and his wife, Marie Cathérine Cardinal, have, after having taken the advice of a family council, prayed for and obtained judicial authorization to sell, by forced licitation, to the highest and last bidder, in concert with the heirs of full age, their undivided rights of ownership in an immoveable property situated in the late village of Côte St. Louis, now St. Denis ward of the city of Montreal, known and designated under the number three hundred and twenty-six on the official plan and book of reference of the said village of Côte St. Louis ;

That such sale was made in the usual manner after advertisement and according to all the formalities for the sale of the property of minors and other disqualified persons ;

That Louis Félix Robereau Duplessis was the last and highest bidder at the said sale, and became the owner of the said immoveable, by the adjudication thereof to him of three shares of the said immoveable offered for sale, comprising the whole thereof, and by three deeds of sale dated the seventh of December, eighteen hundred and ninety-four, by the heirs and representatives of Joseph Robereau Duplessis and his wife, Marie Cathérine Cardinal, passed before J. A. Odilon Labadie, notary, at Montreal ;

That doubts have arisen as to the validity of such adjudication and sale for the reason that in the proceedings to obtain the authorization to have the sale by licitation, the calling in of the heirs or representatives of full age, which was alleged in justification of the steps taken by the heirs and representatives who are minors or otherwise disqualified, who asked for the said authorization, may perhaps not sufficiently appear ;

And whereas it is in the interest of the heirs and representatives of the said Joseph Robereau Duplessis and Marie Cathérine Cardinal that such doubts be removed, and thereby all occasions of difficulty and litigation be avoided ;

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

Certain adjudications and sales declared valid.

1. The adjudications and sales made to the said Louis Félix Robereau Duplessis of the above described immovable in its three shares, are declared valid, notwithstanding the illegalities or informalities mentioned in the preamble to this act.

Investment of certain portion of the price.

The representatives of the minors and other disqualified persons shall nevertheless be bound to invest, with all possible diligence, that portion of the price of sale belonging to the latter.

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## CAP. XCII.

An Act to declare valid a sale from Benjamin Decary to James Armstrong and others.

[Assented to 21st December, 1895.]

Preamble.

**W**HEREAS James Armstrong and John J. Cooke have, by their petition, represented :

That, by deed of donation before A. C. Decary, notary, the third of February, eighteen hundred and eighty-one, Joseph Decary, senior, farmer, residing at Côte St. Antoine, in the parish of Notre-Dame de Grâces, in the county of Hochelaga, amongst other gifts to various persons therein made, gave to one of his sons, Benjamin Decary, a certain immovable property situated at Côteau St. Pierre, in the said parish, and known on the official plan and book of reference of the parish of Montreal by the number 139, and which said property was to belong to the said Benjamin Decary, in ownership, during his lifetime, and after his death to certain other persons referred to in the said deed ;

That Benjamin Decary was by said deed allowed to sell the said property, on obtaining the consent in writing of his father, if alive, and, if dead, then of either of his brothers, Joseph Decary, *fls*, or Félix Decary, in which case the proceeds of the said sale were to be applied to the purchase of other immovable property ;

That, by deed before A. C. Decary, notary, the second of October, eighteen hundred and ninety, the said Benjamin Decary sold a portion of the immovable property to James Armstrong and John J. Cooke, a part of the purchase price being paid in cash and the balance made payable by various instalments at subsequent dates thereafter, and to which said deed of sale the said donor, Joseph Decary, became a party, consenting thereto, and declaring that he ratified and confirmed the same, and each and every the provisions thereof, as if he was personally the vendor, and that he approved of the conditions of payment of the purchase price in the manner set forth in the said deed ;