

CAP. XCIII.

An Act to ratify the partition of the real estate owned in common (*par indivis*) by the estates of Ferdinand David, Michel Laurent and Dame Delphine Choquette, widow of the Honorable Sévère Rivard, and the partition of the real estate of the latter amongst her heirs.

[Assented to 8th January, 1894.]

WHEREAS Alphonse David, Dame Sophie Thivierge, Preamble.
widow of Michel Laurent, Dame Delphine Laurent, widow of Henri Choquette, Dame Zoé Choquette, widow of Bruno Lalumière, Azarie Choquette, Dame Octavie Choquette, wife of Victor Durand, Dame Fanny Choquette, wife of Jean Baptiste Alfred Alarie, Dame Hermine Brunette, widow of Laurent Henri Choquette, the Reverend Sister Eliza Brodeur, Henri Brodeur, Azarie Brodeur, in his quality of tutor to Aldina Brodeur, Evelina Brodeur and Hector Brodeur, all three minor children, Joseph Pantaléon Beauchamp, in his quality of tutor to Arca Beauchamp, also minor child, have, by petition, represented: That by deed of partition passed at Montreal, before Victor Morin, notary, on the thirtieth of October, one thousand eight hundred and ninety-three, they effected the partition of certain immoveables situate in the said city of Montreal, which they owned in common by giving in money, (under certain conditions of investment as regards the minors), the shares of the said Henri Brodeur, Eliza Brodeur, Aldina Brodeur, Avelina Brodeur, Hector Brodeur and Arca Beauchamp, in the said immoveables;

Whereas the share of each of the said Henri Brodeur, Eliza Brodeur, Aldina Brodeur, Evelina Brodeur, Hector Brodeur and Arca Beauchamp (the latter four being minors), in the said immoveables is a two hundred and sixteenth, and it is impossible to allow them an immoveable to represent their respective shares;

Whereas the said properties are vacant and yield no revenues;

Whereas an action of partition would entail considerable expense, and the said immoveables cannot be divided otherwise than by mutual agreement;

Whereas the said minor children are not in a position to protect their rights, and to become purchasers at any judicial sale of the said immoveables;

Whereas the said deed of partition is favorable to the said minors, but cannot take effect without being confirmed and ratified by competent authority;

Whereas the petitioners have, by their petition, prayed for an act to ratify, confirm and render valid the said deed of

partition, and it is in the interest of all the co-proprietors, both of full age and minors, that their prayer be granted ;

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

Certain deed
of partition
ratified.

1. The deed of partition between the above named petitioners, passed before Victor Morin, notary, on the thirtieth of October, one thousand eight hundred and ninety-three, is hereby ratified, confirmed and declared valid and legal, and shall have force and effect, on the terms and conditions therein mentioned.

Coming into
force.

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

C A P. X C I V .

An Act to ratify a deed of sale between Joseph Louis and Théophile David, and the heirs of Fleury David.

[Assented to 8th January, 1894.]

Preamble.

WHEREAS Joseph Louis David, farmer, of the parish of Sault au Récollet, county of Hochelaga, has, by his petition, represented that he wishes to make over to *l'Institut des Frères de Saint Gabriel*, for educational purposes, a lot of land known and described as forming part of lots numbers 217 and 221 of the official cadastre of the county of Hochelaga, for the parish of la Visitation (Sault au Récollet) ;

Whereas he acquired the said property, in 1859, from the Ladies of the Sacred Heart, in exchange for a lot of land to him belonging in virtue of the will of his *auteur* and of the renunciations and transfers by his brothers and sisters of their rights of succession ;

Whereas the renunciations or transfers of two of his brothers, Théophile and Fleury David, were annexed to the deed of exchange but cannot now be found.

Whereas the said petitioner and the Ladies of the Sacred Heart have been in the peaceable enjoyment of their respective properties until 1892, when the said Théophile David and the heirs of the said Fleury David claimed from the said petitioner their respective shares in the estates of their father and grand-father ;

Whereas, notwithstanding the renunciations and transfers made in 1859, mentioned in the said deed of exchange, the said petitioner, to avoid suits, consented to purchase the rights of Théophile David and those of the heirs of his other