

The Provincial Statutes of Lower-Canada, Being the third session of the ninth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1819.

59 George III – Chapter 24

An Act to authorise George Le Pallieur to sell a certain Lot of Ground in his possession, entailed upon the Heirs of the late Charles Le Pallieur, situate on Saint Joseph Street, in the City of Montreal. (24th April, 1819.)

Whereas George LePallieur of the City of Montreal, Notary Public, by his Petition hath represented, that over and above the ground which he hath been authorized to dispose of to the Justices of the Peace for the District of Montreal, in virtue of an Act passed in the fifty-eighth year of His Majesty's Reign, intituled, "An Act to authorize the Justices of the Peace for the District of Montreal to lay out and open a New Street in the City of Montreal, upon a Lot of Ground in the possession of George Le Pallieur, and to obviate certain inconveniences therein-mentioned," there remains a small piece of ground between the said street called Saint Joseph and a lot of ground belonging to Pierre Charles Dubois, of one foot in breadth, fronting on the Place d'Armes, and increasing in width along the continuation of the said street to four feet in width at the depth of the said lot, being seventy-eight feet from the front line; which said ground, by the Will of the said Charles Le Pallieur, father of the said George Le Pallieur, he the said George Le Pallieur, by reason of an entail (substitution) contained in the said Will, cannot alienate or sell: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province;" and it is hereby enacted by the authority of the same, that the said George Le Pallieur shall be and he is hereby authorized to sell and dispose of the said lot of ground herein-before mentioned, and to make and execute to the purchaser or purchasers thereof a good and legal title to the same. Provided always, that he the said George Le Pallieur do conform to the clauses and conditions hereinafter-mentioned.

II. And be it further enacted by the authority aforesaid, that before making and executing a title to the said lot of ground aforesaid, the said George Le Pallieur shall cause the same to be visited by two fit and proper persons, one of whom shall be named by the said George Le Pallieur, and the other by any Justice of the Peace for the District of Montreal, who upon request of the said George Le Pallieur to that effect, is hereby authorized and required so to do; which persons so named as aforesaid, shall upon oath, which oath any Justice of the Peace is hereby authorized and required to administer, estimate the value of the said lot of ground, and in case of difference of opinion they, the persons who shall as aforesaid have been nominated and appointed, shall agree upon a third person whose umpirage or award shall be final and conclusive, and shall be made and executed before Notaries Public, and an authentic copy thereof shall be deposited with the Clerk of the Peace in the District of Montreal, whereupon the said George Le Pallieur shall be, and he is hereby authorized to make and

execute good and valid titles to the said lot of ground aforesaid in favor of the person or persons purchasing the same.

III. And be it further enacted by the authority aforesaid, that the purchase money of the said lot of ground above-mentioned, shall, by the said George Le Pallieur, be applied as provided in and by the fifth section of an Act passed in the fifty-eighth year of His Majesty's Reign, intituled, "An Act to authorize the justice of the Peace for the District of Montreal, to lay out and open a new Street in the City of Montreal, upon a lot of ground in the possession George Le Pallieur, and to obviate certain inconveniencies therein-mentioned," and that the said sum of money shall be considered to all intents and purposes whatsoever as equivalent to the said lot of ground, and shall represent the same to all intents and purposes as mentioned in the said last Will and Testament of him, the said Charles Le Pallieur, and as mentioned, in the above recited Act.

IV. And be it further enacted by the authority aforesaid, that the said George Le Pallieur, his heirs and assigns, and all and every other person or persons whomsoever, who now have or who hereafter may have any right, title, interest or claim, whatsoever, in, or to the said lot of ground, shall be, and they are hereby declared, to be disseized and divested thereof to all intents and purposes whatsoever, as soon as the said lot shall by the said George Le Pallieur, be sold, and transferred in manner as herein-before provided.

V. And be it further enacted by the authority aforesaid, that this Act shall be deemed a public Act, and as such shall be judicially taken notice of by all judges, justices and all other persons whomsoever without being specially pleaded.