



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 275
(Private)

An Act respecting the wills of Charles Jodoin and Sophranie Beauchamp

Introduction

Introduced by
Mr Claude Filion
Member for Taillon

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Bill 275

(Private)

An Act respecting the wills of Charles Jodoin and Sophranie Beauchamp

WHEREAS, by notarial deed of sale executed on 6 July 1988 and registered at the registry office of the registration division of Chambly under number 789197, 2620-0451 Québec Inc. acquired from 156282 Canada Inc. a part of lot number 27 of the official plan and book of reference of the cadastre for the village of Boucherville, which part is described in more detail in that deed;

Whereas 156282 Canada Inc. itself acquired this immovable from the successions of Charles Jodoin and Sophranie Beauchamp, by notarial deed of sale executed on 6 July 1988 and registered at the registry office of the registration division of Chambly under number 789196;

Whereas the successions of Charles Jodoin and Sophranie Beauchamp were represented for the sale of this immovable by Yves Jodoin and Raoul Jodoin, the testamentary executors appointed and authorized to act for this purpose under a judgment of 16 November 1987 of the Superior Court of the district of Montréal in record number 500-14-000562-868;

Whereas Sophranie Beauchamp, who died on 17 October 1918, created substitutions, by her will registered at the registry office of the registration division of Chambly under number 55985, in favour of the children to be born to her children and omitted to grant to her testamentary executors the power to alienate;

Whereas Charles Jodoin, who died on 21 September 1924, also created substitutions, by his will registered at the same registry office

under number 65648, in favour of the children to be born to his children and omitted to grant to his testamentary executors the power to alienate;

Whereas doubt has arisen as to the validity of the title of 2620-0451 Québec Inc. to the immovable acquired by them because, in the deed of sale of 6 July 1988 between the successions of Charles Jodoin and Sophranie Beauchamp and 156282 Canada Inc., the testamentary executors did not have the power to alienate under the wills of Charles Jodoin and Sophranie Beauchamp, and the provisions of the Civil Code in respect of formalities for the alienation of substituted property were not followed;

Whereas it is impossible to locate the presumptive heirs, numbering approximately forty, of the successions of Charles Jodoin and Sophranie Beauchamp;

Whereas the said presumptive heirs were impleaded and, by order of the court, collectively summoned through the newspapers in the above-mentioned proceedings in Superior Court, and none of the said presumptive heirs opposed the sale of the immovable;

Whereas the testamentary executors of the successions of Charles Jodoin and Sophranie Beauchamp, the latter persons' descendants whose addresses were known to the attorneys of 2620-0451 Québec Inc. and 156282 Canada Inc. were informed of the introduction of this Act, and none of the said persons opposed its passage;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The notarial deed of sale between the successions of Charles Jodoin and Sophranie Beauchamp and 156282 Canada Inc., executed on 6 July 1988 and registered at the registry office of the registration division of Chambly under number 789196, is declared to be valid from the said date of execution, and to have transferred to 156282 Canada Inc. the rights of the heirs and legatees of the successions of Charles Jodoin and Sophranie Beauchamp in the part of lot number 27 of the official plan and book of reference of the cadastre for the village of Boucherville, which part is described in more detail in the said deed.

2. Registration of a true copy of this Act shall be made by deposit.

3. This Act comes into force on (*insert here the date of assent to this Act*).