

this case an option to purchase a lot of land known as No. 224 of the cadastre of Pointe-aux-Trembles, for the price and under the conditions in said option mentioned, of which a copy has been produced herewith attached to the declaration of the said tiers-saisi Girard in support of his declaration ;

“ Considering that the option mentioned in said declaration had not been granted to defendant because the defendant had refused to accept same, as it was not signed by all the members of the said syndicate, but defendant subsequently received an option signed by all the members of said syndicate as appears by contestant's exhibit no. 1 ;

“ Considering that before the expiration of the delay mentioned in said option, the defendant, as well personally as through his notary, Mr. Beaudry, notified the syndicate as well as its president and secretary, that he was ready to conform to the conditions of said option and to purchase the said land ;

“ Considering that the secretary of said syndicate was requested and required to send to the notary above mentioned the titles to said land ;

“ Considering that after having taken communication of said titles, notary Beaudry, acting for defendant, notified the syndicate that said lot No. 224, on which defendant had an option, was hypothecated, and notified the secretary of said syndicate to have hypothecated radiated in order to give a clear title to said property ;

“ Considering that the mortgage, J. O. Lacroix, in the month of March, 1913, declared that he was willing to give a discharge on said land but under such conditions that the syndicate was unable to sell to defendant lot No. 224 as agreed in said option, and as a matter of fact,