



## CHAPTER 170

### An Act respecting the estate of the late Charles Hypolite Laurier

[Assented to, the 6th of March, 1935]

**W**HEREAS Dame Graziella Laurier, wife common as to Preamble. property of J. H. W. Renaud, advocate, both of the city and district of Montreal, the latter to authorize his said wife, has, by her petition, represented as follows:

That the petitioner is the owner of immoveable property hereinafter described, as heir and donee of her late father Charles Hypolite Laurier, by will dated January 31st, 1910, and gifts *inter vivos* dated March 2nd, 1911, and October 4th, 1913, all such deeds passed before Mtre. Gustave Beaudoin, notary, of Montreal, and of her late mother, Marguerite Brunet, by will dated November 5th, 1895, passed before Mtre. Perreault, notary, also of Montreal, all such deeds duly registered at Montreal;

That such wills and gifts create substitutions;

That it is impossible under the law respecting substitutions to borrow by hypothecating such immoveables;

That such immoveables have greatly lost in value and yield through the financial depression and unemployment;

That the petitioner's family now consists of eleven living children;

That the cost of maintaining, instructing and educating such children is considerable;

That, owing to his health, the petitioner's husband is and has been unable to work for the past eighteen years;

That it has been impossible for the petitioner, under the circumstances, to pay the municipal, school and special taxes due for three years and more, affecting the said immoveables;

That, under the deed of gift from the late C. H. Laurier, father of the petitioner, dated March 2nd, 1911, if there be any default in paying the taxes due, her co-heirs and co-donees have the right to themselves pay the said taxes and take over the said properties without notice;

That the substitutes to the petitioner in the substitutions created would suffer serious prejudice and might thereby be deprived later from entering into possession of the said immoveables;

That it is therefore urgent to borrow upon such immoveables, giving hypothecary security to pay the general, special and school taxes, to make the repairs necessary for their preservation and amelioration, and for any other purpose, notwithstanding any law to the contrary, in the interest of the substitutes; and

Whereas it is expedient to grant the prayer of the petitioner;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Hypothecating of certain immoveables.

**1.** Dame Graziella Laurier, duly authorized, is and shall be permitted to contract loans, and charge, burden and hypothecate for such purpose, in conformity with articles 2016 and following of the Civil Code and notwithstanding any law to the contrary, the following immoveables:

(a) An immoveable fronting on St. Catherine street, Maisonneuve ward, city of Montreal, described under the Nos. 134C, 135C, 136C, 137C and 138C of the subdivision of lot No. 8 on the official plan and book of reference of the village of Hochelaga, with the buildings thereon erected.

(b) A lot of land described under No. 1025 on the official plan and book of reference of St. Mary's ward, city of Montreal, Plessis street, with the buildings thereon erected;

(c) An immoveable situated in St. Denis ward, Mount Royal street, of the city of Montreal, composed of parts of lots Nos. 477 and 478 of the subdivision of lot 328 on the official plan and book of reference of the village of Côte St. Louis, such part of lot No. 477 containing nineteen feet and six inches in width in front, by one hundred feet in depth, plus the residue of the said lot No. 477, and the part of the said lot No. 478, containing four feet and three inches in width by one hundred feet in depth, with buildings thereon erected;

(d) An immoveable on St. Catherine street, composed of lots Nos. 6 of the subdivision of lot No. 1399, 3 of the subdivision of lot No. 1399A, and 6 of the subdivision of lot No. 1404, on the official plan and book of reference of St. Mary's ward, city of Montreal, with the buildings thereon erected;

(e) An immoveable described under Nos. 5 of the subdivision of lot No. 1399, 4 of the subdivision of lot No. 1399A, 7 of the subdivision of lot No. 1404, and 5 of the subdivision of lot No. 1405, on the official plan and book of reference of St. Mary's ward, city of Montreal, on St. Catherine street, with the buildings thereon erected.

**2.** The total amount of the hypothecary loans must, in Amount no case, exceed twelve thousand dollars. Such loan or restricted. loans shall be to pay the taxes and repair and improve the properties. They must be approved by a judge of the Approval. Superior Court.

**3.** This act shall come into force on the day of its Coming into sanction. force.