



CHAPTER 141

An Act respecting the estate of Hubert Morin

[Assented to, the 17th of December, 1931]

WHEREAS Dame Eva Morin, of the city and district of Preamble.

Montreal, wife, separate as to property by marriage contract, of Lucien Martin, manager, of the same place, and duly authorized for the purposes of this act by the latter, in her capacity as institute under a donation made before Mtre. Joseph A. Brunet, notary, on the 16th of September, 1918, by her father Hubert Morin to herself, and the said Lucien Martin both to authorize his wife and in his capacity of curator to the said substitution, have, by their petition, represented:

That she is the daughter of the late Hubert Morin, in his lifetime, gentleman;

That, by deed of donation made and passed before Joseph A. Brunet, notary, on the 16th of September, 1918, the said late Hubert Morin made to her, the said Dame Eva Morin duly authorized and accepting, a gift *inter vivos* and irrevocable of the hereunder described immoveables:

A piece of ground situated on St. Antoine street in the city of Montreal, measuring fifty feet in front by one hundred and ten feet in depth, consisting of the whole of lots numbers 125 and 126, and of two feet frontage by one hundred and ten feet deep of lot number 127, on the plan and official subdivision of lot number 386 of the official plan and book of reference of the municipality of the parish of Montreal, such piece of ground so given being bounded in front by St. Antoine street, in rear by a lane, on one side by the remainder of the said lot No. 386-127, and on the other side by Woodstock street, with two houses bearing civic numbers 473a, 475b, 477 and 479 of the said St. Antoine street, and other buildings thereon erected.

That the said donation was made to the said Dame Eva Morin as institute and as an advance upon her future inheritance, for her life-time, and to her children as substitutes in the said substitution, the division not to be made until the youngest of the substitutes attains the age of majority;

That the donor, who had reserved the usufruct of the immoveables given, is dead and that the said Dame Eva Morin is in possession of the said immoveables as institute;

That the donation stipulates, amongst other clauses, that neither the institute nor the substitutes shall have the right to hypothecate the immoveables given and that the fruits, revenues and rents shall not be transferable nor seizable;

That the said donation, duly accepted by the donee, has been registered and that the said Lucien Martin is curator to the said substitution in favour of his children;

That the immoveables so given consist of very large dwellings, hard to rent on this account, old, and in a bad state of repair;

That now and for several years these immoveables do not yield and cannot, under present conditions, yield a sufficient revenue to pay ordinary current expenses required for their upkeep and the yearly taxes;

That if the said immoveables were converted into small dwellings with modern improvements, they would be productive of revenues in excess of the expense of maintenance and cost of taxes;

That it is expedient and in the interest of both institute and substitutes that a loan be effected to permit of converting the immoveables of the substitution and provide them with modern improvements and conveniences;

That according to estimates made, a sum of sixteen thousand dollars would suffice, and

Whereas it is expedient to grant the prayer to that effect contained in the said petition;

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

Loan authorized.

1. The institute, Dame Eva Morin, duly authorized, with the consent of the curator to the substitution created by the deed of donation passed by Hubert Morin, on the 16th of September, 1918, before Joseph A. Brunet, notary, notwithstanding any provision to the contrary in the said

donation, without the necessity of any formality, of any order, of a family council, of a court or of a judge, is authorized to borrow a sum of sixteen thousand dollars to remodel the said immoveables subject to the substitution, renovate and provide them with modern improvements and conveniences, and to guarantee such loan by charging and hypothecating the immoveables subject to the donation.

2. The sum of sixteen thousand dollars, which the said Dame Eva Morin is authorized to borrow, shall be deposited by the lender, with a duly incorporated trust company of the Province, and shall be paid out, on the estimates of architects, to the persons who do the work on the said immoveables. How loan deposited and paid out.

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

