



## CHAPTER 142

### An Act respecting a donation by Hubert Morin to Dame Marie Eugénie Morin

[Assented to, the 19th of February, 1932]

**WHEREAS** Dame Marie Eugénie Morin, of the city of Preamble.

Outremont, district of Montreal, wife, separated as to property by marriage contract, of Placide Romuald Décary, agent, of the same place, and the latter to authorize his wife for the purposes of this act, in her capacity of institute in the substitution, under a deed of donation passed before Jos. A. Brunet, notary, on the 1st of October, 1917, by her father Hubert Morin to herself; Albert Morin, of the city of Westmount, district of Montreal, herein acting in his capacity of curator to the said substitution, and Charles Auguste Décary, physician; George Décary, commercial traveller; Roger Décary, commercial traveller, all three of the city of Outremont, district of Montreal, substitutes in the said substitution, have, by their petition, represented:

That by deed of donation made and passed before Jos. A. Brunet, notary, on the 1st of October, 1917, the late Hubert Morin made to his daughter, the said Dame Marie Eugénie Morin, duly authorized and accepting, a donation *inter vivos* and irrevocable of the immoveable hereinafter described;

“A certain parcel of land fronting on St. Antoine street, in the city of Montreal, composed of lots Nos. 28 and 29 of the official subdivision plan of lot No. 1637 of the official plan and book of reference of St. Antoine ward, in the said city, containing, each of the said two subdivision lots, twenty-four feet in width by one hundred and twelve feet in depth, more or less, with the buildings thereon erected, and the right of passage in perpetuity, with others entitled

thereto, in a lane situated in rear of the said piece of land, known under No. 32 of the official subdivision plan of lot No. 1637.”;

That such donation was made to the said Dame Marie Eugénie Morin, as institute, and to her children as substitutes in the said substitution, the partition not to be made until the youngest of the substitutes shall attain the age of majority;

That the deed of donation stipulates, amongst other clauses, that neither the institute nor the substitutes shall have the right to hypothecate the immoveable given, and that the fruits, revenues and rents shall be neither transferable nor seizable during the lifetime of the institute;

That the said donation was accepted by the donee;

That the said deed of donation was duly registered in the registration office of Montreal West, under No. 161919;

That the said Albert Morin was appointed curator to the said substitution created in favour of his children;

That the immoveable given consists of old dwellings which had and have to be kept in a good state of repair, and, in order to do so, the petitioner, Dame Marie Eugénie Morin, was forced to go into debt;

That unless she be permitted to borrow a sum not to exceed five thousand dollars, the petitioner will be exposed to suits and other proceedings;

That the substitutes in the substitution are of age and have consented to the present request for permission to borrow on hypothecary security;

That the family council at the time of the appointment of the curator to the substitution, on the 16th of November, 1931, approved the present act;

Whereas the petitioners have proved the allegations of the petition, and it is expedient to grant their prayer;

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

Institute  
authorized  
to borrow  
certain sum.

**1.** Notwithstanding any clauses to the contrary contained in the deed of donation made by Hubert Morin, by deed passed before J. A. Brunet, notary, on the 1st of October, 1917, and registered in the registration division of Montreal West, under No. 161919, the institute, Dame Marie Eugénie Morin, is hereby authorized, without any formality, advice of a family council or order of any court of justice or judge, to borrow a sum not to exceed five thousand

dollars and to hypothecate the above-described immovable to secure the repayment of the said loan, provided Proviso. that her husband and the known substitutes now existing, or, should the case arise, their legal representatives at the time of the passing of such deed, and the curator to the said substitution, are parties and consent to such loan.

**2.** The expenses incurred for the passing of this act Payment shall be a charge upon the said substitution, and the in- of costs. stitute, Dame Marie Eugénie Morin, shall be entitled to immediately deduct from the principal of the loan the necessary sums to pay such expenses.

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

