



CHAPTER 70

An Act respecting the dispensary at Rivière-au-Tonnerre
on the north shore of the St. Lawrence River

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

Whereas on the 30th of August, 1926, Ernest Jacques Preamble.

Duguay transferred, by deed under private writing, to Miss Eveline Bignell, nurse of the Provincial Bureau of Health, a certain immovable for the purpose of the establishing of a dispensary;

Whereas, in view of the improvements which had to be made to the immovable, the transferor agreed to claim no rent for five years and granted an option to purchase the immovable for the price of two thousand dollars;

Whereas, in fact, repairs and improvements to the said immovable for an amount exceeding six thousand dollars have been made and the cost thereof paid by the Government of the Province;

Whereas when the Government wished to exercise the right of option, it was informed by Germain Bélanger that the latter claimed a right of ownership on the said immovable;

Whereas doubts have arisen as to the right of ownership claimed by the said Germain Bélanger;

Whereas it is in the public interest that the dispensary carried on at such place for over five years continue its operations;

Whereas it is necessary to grant the Government a title to this property, leaving it for the courts to decide which of the claimants is entitled to the sum paid for such acquisition;

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

Govt. de-
clared sole
owner of
certain land.

1. 1. The Government of the Province of Quebec is declared the sole and only owner of the land situated at Rivière-au-Tonnerre, in the electoral district of Saguenay, measuring five hundred and sixty feet at its greatest depth and two hundred and thirty-four feet at its greatest width, bounded on the north by the seigniority of Mingan, on the south by the public road, on the east by Sydney Foley and on the west by Ernest Jacques Duguay, with all the buildings thereon erected, appurtenances and dependencies, as the whole is at present occupied by the dispensary of Rivière-au-Tonnerre and described as being lot number twenty-nine (29) on the plan of Rivière-au-Tonnerre made by J. B. A. Hould, land surveyor, on the 4th of October, 1901.

Compensa-
tion.

2. The compensation which the Government shall be bound to pay for such immoveable, including the buildings thereon erected, is fixed at the sum of two thousand dollars.

Delay for
deposit of
compensa-
tion.

2. 1. Within ninety days from the coming into force of this act, the Attorney-General shall deposit with the Prothonotary of the Superior Court for the district of Saguenay an amount of two thousand dollars, with six months' interest, and shall transmit to the said prothonotary of the said district a copy of this act.

Notice of
deposit.

2. On reception of the monies deposited and of the copy of this act, the prothonotary shall publish twice during one month, in the *Quebec Official Gazette*, a notice stating that the monies have been deposited and setting forth the designation of this act, the description of the immoveable and the day on which a petition will be presented to the court to obtain an order for the distribution of the monies deposited and summoning all persons who, prior to the coming into force of this act, had rights on such immoveable, or their representatives, or the husbands of the wives interested, to present their claims within the ten days following the day indicated for the presentation of the petition.

Presenta-
tion of peti-
tion.

On the day fixed in the notice, the Attorney-General shall present to the court a petition, together with copies of the *Quebec Official Gazette* containing the notice, to obtain an order respecting the distribution of the monies so deposited.

Payment of
monies.

The court, upon such petition, shall order the distribution and payment of the monies deposited to the person or persons designated in the judgment as being entitled to same, as in justice may appertain, as well as to the hypothecary creditors if there be occasion therefor.

3. The judgment shall forever bar all claims against the above-mentioned immoveable, including dower yet open, as well as all hypothecs and charges upon the same. Extinction of claims.

4. The costs on such petition shall be determined by the court and shall be paid by the Government or by any other party according to the order of the court. Costs on petition.

5. If the judgment is obtained less than six months after the date of depositing the compensation with the prothonotary, the court shall order that a proportional part of the interest be returned to the Government. Reimbursement of interest in certain case.

6. If such judgment is obtained only after the expiration of the six months following such deposit, the court may order the Government to pay to the prothonotary the interest for a greater period of time, as may be found just. Additional interest in certain case.

3. The Provincial Treasurer is authorized to pay out of the consolidated revenue fund, on the certificate of the Attorney-General, the sums required for the carrying out of the provisions of this act. Sums required.

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

