



## CHAPTER 52

An Act to amend the Roads' Act respecting expropriations

[Assented to, the 11th of March, 1931]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The Roads' Act (Revised Statutes, 1925, chapter 91) R. S., c. 91, is amended by inserting therein, after section 52 thereof, <sup>s. 52a, added,</sup> as amended by the act 17 George V, chapter 31, section 9, the following section:

**"52a.** The Minister of Roads may widen or alter the <sup>Widening,</sup> course of any road which he maintains and he may acquire <sup>etc., roads.</sup> the land necessary for such purpose."

**2.** The said act is amended by inserting therein, after R. S., c. 91, section 113 thereof, as amended by the act 17 George V, <sup>ss. 113a-</sup> chapter 31, section 26, the following Division and sections: <sup>113d, added</sup>

**"DIVISION XIA**

**"EXPROPRIATIONS**

**"113a.** The provisions of sections 91, 92, 93, 94 and <sup>Provisions</sup> 98 of the Quebec Railway Act (Chap. 230) shall apply <sup>applicable</sup> to the acquisition of land or servitudes which the Minister <sup>to expropri-</sup> of Roads is authorized to effect under this act. <sup>ations.</sup>

If a voluntary sale cannot be effected through failure of <sup>Id., where no</sup> the parties to agree, all questions arising shall be settled <sup>voluntary</sup> according to the provisions of sections 101 to 124 of the <sup>sale.</sup> said Quebec Railway Act.

For the purpose of this section, the above-mentioned <sup>Provisions</sup> provisions of the Quebec Railway Act are amended by <sup>applicable,</sup> replacing therein, wherever they occur, the words "the <sup>amended.</sup>

company", by the words "the Minister of Roads", and the word "railway", by the words "highway, road or main communication road", as the case may be.

Certificate replacing security.

The judge, in granting previous possession of the land required, may, in place of the security required by subsection 3 of section 112 of the said Quebec Railway Act, accept a certificate from the Provincial Treasurer to the effect that he holds the amount fixed at the disposal of the Court.

Removal of building in certain cases.

"**113b.** When, in hearing a case to fix the compensation payable for land and damages caused, the Quebec Public Service Commission finds that a building wholly or partly occupying such land can be moved advantageously for the party expropriated and that such moving will have the effect of reducing the cost of the expropriation, it shall adjourn the hearing of the case and make an order to the effect that the building can be moved, stating therein in what place the building may be put and fixing the delay in which the party expropriated may effect the removal.

Idem.

"**113c.** If the party expropriated fail to move the building within the delay fixed by the Commission, a judge of the Superior Court sitting in the district where the case is pending may, by a warrant of possession or a supplementary warrant when a warrant of possession has already been issued, authorize the Minister of Roads to move the building and place it where indicated by the Commission.

Compensation.

"**113d.** After the building has been moved, the Quebec Public Service Commission, on the application of one of the parties, shall continue the hearing of the case and shall fix the compensation payable to the party expropriated, taking as a basis the value of the land, the necessary expenses incurred by the party expropriated to move the building, and all other damages and inconvenience occasioned."

Provisions repealed.

**3.** Sections 22, 99 and 104 of the said act, as respectively replaced by sections 2, 7 and 8 of the act 18 George V, chapter 35, are repealed.

Coming into force.

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