



CHAPTER 73

An Act to grant the right of expropriation to proprietors of hospitals, in certain cases

[Assented to, the 4th of April, 1929]

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

- 1.** Any corporation, firm or person being proprietor of an immoveable property used for the hospital treatment and care of sick persons may acquire by expropriation immoveable property contiguous to its establishment as well as every immoveable right, charge, lease for occupation, or emphyteutic lease, constituted rent or any other rights whatever affecting such immoveable property, in the manner and under the conditions hereinafter stipulated. Acquisitions authorized.
- 2.** Only immoveables or parts of immoveables necessary for the enlarging of the hospital and of its grounds are liable to expropriation under this act. But an immoveable already used for hospital purposes and treatment of sick persons and furnished with at least twenty-five beds, and also a charitable institution, are not subject thereto. Immoveables liable to expropriation.
- 3.** Such expropriation may only take place for the benefit of a corporation, firm or person, having operated, for at least two years before the application for approval provided for in section 5, a hospital in which there are at least one hundred beds for the use of patients. Benefit of expropriation.
- 4.** In no case shall the expropriation of an immoveable or part of an immoveable, under this act, be proceeded with, unless a plan, made by a land surveyor of this Province, showing the immoveable property to be expropriated Service by bailiff of plan.

with a sufficient description thereof, has been served by a bailiff upon the owner of such immoveable.

Approval of
Lt.-Gov. in
C.

5. No such expropriation shall be proceeded with unless the Lieutenant-Governor in Council has previously approved of the extent of land to be expropriated, upon the application of one of the parties, notice whereof must be given to the other party.

Application
for appro-
val.

The application for approval shall be made by a petition to the Provincial Secretary, accompanied by a plan of the land to be expropriated and the reasons in support of the application.

Provisions
applicable.

6. The offer of compensation, the proceedings in expropriation, the fixing of the compensation, the order granting possession and the other formalities shall be subject to the applicable provisions of the Quebec Railway Act (Revised Statutes, 1925, chapter 230).

Taking of
possession.

7. No taking of possession may be effected by the expropriating party until after the rendering of the award fixing the compensation and the payment of such compensation. Nevertheless, the court or a judge thereof may grant the taking of immediate possession of the land to be expropriated in accordance with the provisions of section 112 of the Quebec Railway Act (Revised Statutes, 1925, chapter 230).

Appeal.

8. An appeal shall lie from the award fixing the compensation in the same manner as from a final judgment rendered by the Superior Court when the sum in dispute exceeds two hundred dollars.

Effect
thereof.

The appeal shall suspend the taking of possession unless, on a petition to that effect, a judge of the Court of King's Bench orders otherwise, on such conditions as he may deem fit.

Coming into
force.

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