

CAP. IX.

An Act respecting the maintenance of the insane in
Beauport Asylum.

[Assented to 27th February, 1893.]

Preamble.

WHEREAS the contract with the present proprietors of Beauport Asylum expires on the thirtieth of April next;

Whereas, by Order in Council, dated the sixth of July last, approved on the eighth of July also last past, it is declared that it is expedient to confide to a religious community the care of the insane in Beauport Asylum;

Whereas the community of the Sisters of Charity at Quebec has offered to undertake the care of the said insane, and for that purpose to purchase Beauport Asylum and its dependencies;

Whereas a valuation was made by experts to establish the value of the asylum, its dependencies and its contents;

Whereas the said valuation was not to bind the parties and was to be concluded on or before the fifteenth of August last, but was not made and completed within the specified delay;

Whereas the experts appointed made different reports, two of them giving a commercial value of over seven hundred thousand dollars to the said asylum, its dependencies and its contents, and another of the said experts estimating the whole at three hundred and eleven thousand dollars;

Whereas, in consequence of this great difference between the reports of the experts, it has been impossible for the interested parties to come to an agreement;

Whereas it is advisable to make at present a temporary arrangement which will enable the Government to study the question still more and to come to a decision favourable to the public interest;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Contract for
maintenance
of insane at
Beauport
Asylum
authorized.

1. The Lieutenant-Governor in Council is authorized to enter into a contract, for one year, with the said community of the Sisters of Charity at Quebec, or with any other religious community, for the care, keeping and maintenance of the insane in Beauport Asylum.

Basis of con-
tract.

2. The said contract shall be based on the official letter written by the said community of the Sisters of Charity, bearing date the thirty-first of October last, both as regards

the price payable per annum and per head, and as to the admission and discharge of patients and temporary discharge, and also as to all other care which the said patients are to receive.

Out of the price of one hundred dollars, mentioned in the said letter, a certain reduction shall be made, according as the religious community, which shall undertake the care of the patients, shall or shall not be the proprietor or lessee of the moveables or immoveables.

Deduction to be made out of price mentioned.

3. The Lieutenant-Governor in Council is authorized to lease, from the present owners of Beauport Asylum, the said asylum and its dependencies, for the period of one year from the first of May next, the Government undertaking to do ordinary tenant's repairs during the said year;

Lease of Beauport Asylum for one year authorized.

The rent for the said year shall be determined by arbitrators, who shall declare what the rent of the said immoveables for one year is worth.

Rent therefor to be established by arbitrators.

4. The said arbitrators shall be selected as follows: one by the proprietors of Beauport Asylum, another by the Government, and the third by the two others; the latter shall be selected in the city of Montreal;

Appointment of arbitrators.

If the two arbitrators cannot agree, within the delay to be determined by the Lieutenant-Governor in Council, for the appointment of the third arbitrator, the appointment of the third arbitrator shall be made by a judge of the Superior Court sitting in chambers, in the Court House in Montreal;

Appointment of third arbitrator, in case of disagreement.

None of such arbitrators shall be selected from among the persons who have already acted as arbitrators or experts for the valuation of the whole or of a portion of Beauport Asylum or of any part thereof.

Who cannot be selected.

5. The furniture and moveables, body linen, produce and all provisions generally contained in the said Beauport Asylum and its dependencies, and used in connection with and intended for the use of the patients and staff of the said asylum shall be sold by the present proprietors of Beauport Asylum to the religious community with which the Government shall enter into a contract, as aforesaid, for such price as shall be determined by arbitration, in the same manner and by the same arbitrators as above mentioned, for the valuation of the rent of the said immoveables for a year.

Sale of moveables by proprietors of Asylum to the contracting community for price fixed by arbitration.

6. The Lieutenant-Governor in Council is authorized to guarantee the payment to the proprietors of Beauport Asylum of the price of sale of the said moveable effects, or to guarantee the payment of the capital and interest of any

Guarantee for purchase price of such articles or for the loan.

loan which the said religious community may contract for the payment of such moveable effects and furniture.

Repayment to community of value of goods, &c., in certain event.

7. The Lieutenant-Governor in Council is authorized, in the event of a final arrangement not being made with the said religious community for the care and maintenance of the insane after the first of May, eighteen hundred and ninety four, to repay to the said religious community the capital amount of the value of the said moveable effects to be settled between the Government and the said religious community, and, in default of agreement, by arbitrators appointed in the manner above set forth.

Value how to be fixed.

Contract for the care of the insane at Beauport authorized.

8. If it is possible, before the first of May next, to come to an understanding with the present proprietors of Beauport Asylum and the said community of the Sisters of Charity or any other religious community, by which such religious community might acquire the moveables and immoveables belonging to the present proprietors of Beauport Asylum, the Lieutenant-Governor in Council shall be authorized, if he deem it expedient, on such conditions as he may be pleased to determine, to enter into a contract, based on the said letter of the Sisters of Charity, hereinabove mentioned, bearing date the thirty-first of October last.

Interpretation of arrangements.

9. The arrangements authorized by this act shall not at any time be interpreted as a tacit or implied undertaking to purchase the Beauport Asylum and its dependencies.

Arrangements to be submitted to Legislature.

10. Every arrangement which shall be made shall be submitted to the Legislature at its following session and be valid only if ratified by it.

Powers of Lieutenant-Governor under act.

11. The Lieutenant-Governor in Council is authorized to come to every decision and do every act necessary for carrying this act into effect.

Coming into force.

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