



CHAPTER 2

An Act to ratify the contract between the Provincial Government and *Les Sœurs de la Charité de Québec* respecting the care, custody and maintenance of the insane in *Hôpital Saint-Michel-Archange*

[Assented to, the 2nd of May, 1935]

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

1. The contract respecting the care, custody and maintenance of the insane in *Hôpital Saint-Michel-Archange*,^{Contract ratified.} passed on the twenty-eighth day of March, nineteen hundred and thirty-five, before Emile Delâge, notary, between the Government of the Province of Quebec and *Les Sœurs de la Charité de Québec*, hereinafter reproduced as a schedule, is approved and ratified.

2. This act shall come into force on the day of its^{Coming into force.} sanction.

SCHEDULE

On the twenty-eighth day of March, in the year one thousand nine hundred and thirty-five.

Before EMILE DELÂGE, Notary Public for the Province of Quebec, residing and practising at Quebec,

CAME AND APPEARED:

HIS MAJESTY THE KING, herein represented by the Honourable ATHANASE DAVID, of the city of Montreal, Advocate, King's Counsel, Secretary and Registrar of the Province of Quebec, to the effect of these presents authorized by an order of the Lieutenant-Governor of the Province of Quebec, in Council, No. 575, dated the twenty-seventh day of February (1935), approved on the twenty-eight day of February (1935), by His Honour the Lieutenant-Governor, a copy whereof is annexed to the original minute of these presents,

AND

LES SŒURS DE LA CHARITÉ DE QUÉBEC, a body politic and corporate, having its chief place of business in the city of Quebec, herein represented by Dame Honorine Doucet, in religion Sister St. Robert, Superior General of *Les Sœurs de la Charité*, specially authorized for the purposes of the present deed by a resolution of the Council of *Les Sœurs de la Charité*, dated the third of December, nineteen hundred and thirty-four, a copy of which authorization has been annexed to the original minute of the present deed, after having been acknowledged by Sister St. Robert as a true copy and signed, *ne varietur*, by her and by the undersigned notary,

Who have entered into the following contract:

I

TITLE OF THIS CONTRACT

This deed may be cited under the name of "Contract respecting the care, custody and maintenance of the insane in *Hôpital Saint-Michel-Archange*".

II

DEFINITIONS

In this contract unless the text requires another interpretation:

- (a) The expression "Government" means "His Majesty", one of the parties to this contract;
- (b) The expression "Sisters" means "*Les Sœurs de la Charité de Québec*", the other party to this contract;
- (c) The expression "Patients" means the idiots and insane persons of both sexes confided to the Sisters;
- (d) The expression "Asylum" or "Hospital" applies to the asylum of *Saint-Michel-Archange* (commonly known as the Beauport Asylum);
- (e) The expression "Guardians" comprises female guardians both religious and lay;
- (f) The expression "Physicians" means the physicians designated (except the Superintendent) by Laval University and accepted by the Sisters;
- (g) The expression "Superintendent" means the Superintendent appointed by the Lieutenant-Governor in Council;
- (h) The expressions "Medical Director of Insane Asylums", "Inspectors" and "Visitors" mean the Medical Director of Insane Asylums, Inspectors of Asylums, Prisons, &c., appointed by the Government of the Province.

III

CARE AND MAINTENANCE OF THE PATIENTS

The Sisters oblige themselves towards the Government, for the term of ten years, which commenced to run on the 1st of January, 1934, to receive and lodge in their asylum, and clothe, all the patients who shall be confided to them by the Government, and to provide them with good and sufficient food, to obtain for them the services of competent physicians, to improve their laboratory and other services, in accordance with modern practice, so as to assist in their cure, and in the development of the science of mental disease, the whole upon the conditions hereinafter set forth.

IV

FOOD, ETC.

The food and clothing given, as well as the beds and bedding supplied to the patients by the Sisters, shall not, in any case, be of inferior quality to, nor be given in quantities less than, those supplied by the Sisters up to the present.

V

TREATMENT TO BE GIVEN

The Sisters undertake to give to the patients, who shall be confided to them, the same care and to procure them at least the same comforts, the same amusements and recreation, the same solicitude, in a word, to treat them in every respect, at least as well as they have done during the contract with the Government, which contract expired on the thirty-first of December (1933).

The Sisters further undertake to improve the manner of keeping their asylum generally, as science and experience discover improvements to be made in the treatment of the insane, subject nevertheless to that which is set forth in the following article.

VI

CERTAIN EXPENDITURE TO BE REIMBURSED

If, owing to orders from the medical superintendent, or regulations under the laws of this Province governing the insane and insane asylums, any expenses be imposed upon the Sisters greater than those which shall result from what is specially mentioned in articles three (III), four (IV), five (V), seven (VII) and eight (VIII), of the present contract, such additional expenses, after having been previously approved by His Honour the Lieutenant-Governor in Council, shall be paid by the Government, over and above the contract price.

VII

CLOTHING AND WORK OF THE PATIENTS

The clothing of the patients shall correspond to the different seasons, so as to enable them to go out every day as much as possible.

The work of the patients shall generally be of such a nature as to assist in effecting their cure, the Sisters to have the benefit of their work. Treatment by means of work or physical exercise shall be under the immediate direction of the Superintendent.

VIII

GUARDIANS

The guardians shall be sufficiently numerous, so that there shall not be on an average more than twelve patients confided to the care and custody of each. Such guardians must know how to read, write and cipher, and be not less than twenty-one nor more than sixty-five years of age, and shall obey the orders of the Superintendent. This latter provision shall not apply to guardians who are now employed and who are deemed, by the Superintendent, to be competent.

IX

VISITS OF PHYSICIANS, INSPECTORS, ETC.

The Sisters shall give every possible facility to the Medical Director of Insane Asylums, the Superintendent, and to the Visitors and Inspectors of Asylums, and shall afford them every assistance, so as to facilitate their work and the performance of their duties.

X

PRICE FOR MAINTENANCE OF EACH PATIENT

The Government undertakes to pay to the Sisters, at the office of the Treasurer of the Province of Quebec, a sum of two hundred dollars per annum for each patient they shall hereafter keep for the Government, and for the whole time only of such patient's confinement.

Such payments shall be effected by quarterly instalments, the first whereof has been made on the first of April last, 1934, and the others every three months, without interruption, until the expiration of the present contract. The annual sum, however, payable by the Government, shall never be less than that payable for the minimum number of patients fixed by the following article.

XI

MINIMUM NUMBER OF PATIENTS

The Government undertakes to place and keep at all times, for the duration of this contract, under the care of the Sisters, at least twenty-three hundred patients.

XII

SERVICES OF CHAPLAINS

The Sisters shall pay for the services of the resident chaplains.

XIII

TRANSPORT OF PATIENTS

The patients so confided to the care and keeping of the Sisters shall be transported to and delivered at the asylum, at the charge and expense of the Government or of the parties interested, saving the recourse of the Government against the persons, corporations or municipalities thereunto bound by law.

XIV

ESCAPE OF PATIENTS

If, after his arrival at the asylum, any patient should escape or get away from the asylum, the Sisters shall be bound, at their own expense, to take all necessary steps to find him and bring him back to the asylum.

XV

NOTICE IN CASE OF ESCAPE

Whenever a patient shall escape or get away from the asylum, the Sisters shall give notice to the Provincial Secretary, in which notice they shall mention the name of such patient, the date of his escape, and that of his return, or that he could not be found.

XVI

NOTICE IN CASE OF DEATH

In the event of the death of any patient, the Sisters shall give notice to the Provincial Secretary, which notice shall give the name of the patient and the date of his death.

XVII

INFORMATION TO BE GIVEN

The Sisters shall, in so far as possible, but without any legal obligation thereto and without incurring any responsibility in respect thereof, facilitate the task of the Superintendent, designated by law as curator to insane persons not specially provided with a curator, by giving him all the information in their possession. The same shall apply whenever the Superintendent has to settle cases of deportation or repatriation.

XVIII

BURIAL EXPENSES

At each quarterly payment, the Government shall pay to the Sisters an additional sum of three dollars and fifty cents for burial and other funeral expenses of each patient deceased at the asylum during the quarter.

XIX

ADDITIONAL PAYMENTS

Over and above the sum of two hundred dollars mentioned in article X of this contract, the Government undertakes to pay to the Sisters an annual amount of thirty-five thousand dollars (\$35,000.00), such amount being for the purpose of assisting the Sisters to pay the fees of the physicians (except the Superintendent), of the secretary, and costs of the pharmacy and office expenses, etc.

XX

CONTRACT WITH LAVAL UNIVERSITY

The Government hereby signifies its approval of the contract, between *Les Sœurs de la Charité de Québec* and Laval University, by deed passed before Joseph Sirois, N.P., dated the sixth of April, nineteen hundred and thirty-four, under the number 11053 of his minutes.

XXI

ASSIGNMENT OF CONTRACT FORBIDDEN

The Sisters shall not have the right to assign the present contract without an order of the Lieutenant-Governor in Council accepting the said transfer.

XXII

GENERAL PROVISIONS

As regards everything not specially mentioned and determined in the present contract, the parties refer to the law of the Province of Quebec governing the insane and asylums for the insane, and specially as regards the medical treatment and the powers and attributions of the Medical Director of Insane Asylums, Medical Superintendent and the other physicians.

Such powers and attributions are, however, limited by the right possessed by the proprietors of managing their establishment in so far as regards order, discipline and economy, of directing their employees, and of controlling all the expenditure, provided that the exercise of such rights in no manner interferes with the medical, mental, moral and physical treatment of the patients, as defined in section 7 of chapter 190 of the Revised Statutes, 1925.

XXIII

RATIFICATION

The present contract must be ratified by an act of the Legislature of the Province of Quebec at its present session.

PASSED AT QUEBEC,

under the number two thousand four hundred and twenty-one of the minutes of the undersigned notary.

IN WITNESS WHEREOF, Mother St. Robert and the Honourable Athanase David have signed with me the said notary, after due reading.

(Signed) ATHANASE DAVID,

“ SR. H. DOUCET, *called* SR. ST. ROBERT, *Sup. Gen.*

“ EMILE DELÂGE, *N. P.*

True copy of the original remaining of record in my office.

EMILE DELÂGE, *N. P.*

COPY of the report of a committee of the Honourable Executive Council, dated the 27th of February, 1935, approved by the Lieutenant-Governor on the 28th of February, 1935.

CONCERNING St. Michel-Archange Hospital.

The Honourable the Provincial Secretary, in a memorandum dated the 27th of February, 1935, recommends that he be authorized to sign, for and on behalf of the Government of the Province of Quebec, a contract between the Government of the Province of Quebec and *Les Sœurs de la Charité de Québec*, for the maintenance and custody of the insane in the asylum of *Saint-Michel-Archange*.

Certified

(Signed) A. MORISSET,
Clerk, Executive Council.

This copy of the order-in-council has been annexed to the minute No. 2421 of the repertory of Emile Delâge, N.P., after having been signed for identification by the Honourable Athanase David and the undersigned notary, on the twenty-eighth day of March, nineteen hundred and thirty-five.

(Signed) ATHANASE DAVID.
“ EMILE DELÂGE, N. P.

True copy.

EMILE DELÂGE, N. P.

LES SŒURS DE LA CHARITÉ DE QUÉBEC

AT A MEETING of the council of *Les Sœurs de la Charité de Québec*, held at Quebec, on the 3rd day of December, nineteen hundred and thirty-four;

It was moved, and unanimously resolved:

That Dame Honorine Doucet, called St. Robert, Superior General of *Les Sœurs de la Charité de Québec*, be authorized to sign, with the Government of the Province of Quebec, a contract relating to *Hôpital Saint-Michel-Archange*, for a term of ten years, to run from the 1st of January last (1934), the whole on the stipulations, terms and conditions agreed upon with the Government, and contained in a draft deed prepared by Emile Delâge, N.P., and approved by the council of the Community.

True copy.

(Signed) SR. ST. JEAN DE DIEU, *Sec. Gen.*

This copy of resolution has been annexed to the original minute No. 2421 of the repertory of Emile Delâge, N.P., after having been acknowledged by Mother St. Robert as a true copy, and signed for identification by the said Mother St. Robert and the undersigned notary, this twenty-eighth day of March, nineteen hundred and thirty-five.

(Signed) SR. H. DOUCET, *called* S. ROBERT, *Sup. Gen.*
" EMILE DELÂGE, N.P.

True copy.

EMILE DELÂGE, N. P.