



CHAPTER 59

An Act to amend the Quebec Public Charities Act

[Assented to, the 20th of April, 1934]

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

1. Section 22 of the Quebec Public Charities Act (Revised Statutes, 1925, chapter 189), as amended by the act 21 George V, chapter 82, section 3, is again amended:

a. By adding thereto, after the word: "made", in the first line of paragraph 1 thereof, the words: "in presence of two witnesses";

b. By adding thereto, after paragraph 2 thereof, the following paragraph:

"3. A certificate of the attending physician, showing the state of health of the indigent person and necessity for his hospitalization, in the case of a sick indigent who is to be hospitalized in a general hospital, sanatorium or hospital for consumptives, or an institution for incurables.";

c. By replacing the words: "The certificate required in the above paragraph 2", in the first line of the last paragraph thereof, by the words: "The certificates above provided for".

2. Section 22*a* of the said act, as enacted by the act 19 George V, chapter 61, section 1, and replaced by the act 21 George V, chapter 82, section 4, is amended:

a. By adding thereto, after the word: "presented", in the second line of the first paragraph thereof, the words: " , within sixty days from the said refusal,";

b. By adding thereto, after the word: "same", in the seventh line of the second paragraph thereof, the words: "which latter shall forthwith advise the applicant and the municipal corporation concerned";

c. By adding thereto, after the third paragraph thereof, the following paragraph:

Decision by
magistrate.

"Furthermore, if the hearing establishes to the satisfaction of the magistrate that in fact such indigent person is being helped in a suitable manner by the municipal corporation of the municipality in which he has his domicile, the magistrate shall decide whether the hospitalization should take place or not."

R. S., c. 189,
s. 22b,
repealed.

3. Section 22b of the said act, as enacted by the act 21 George V, chapter 81, section 2, and amended by the act 22 George V, chapter 68, section 1, is repealed.

Id., s. 29a,
added.

4. The said act is amended by adding thereto, after section 29 thereof, the following section:

Amending,
etc., of
forms.

"**29a.** The Lieutenant-Governor in Council, whenever he deems fit, may, for the carrying out of this act, amend or repeal the forms now in use and make new ones which he may also amend or repeal."

R. S., c. 189,
s. 32a, am.

5. Section 32a of the said act, as enacted by the act 23 George V, chapter 75, section 4, is amended by adding thereto the following paragraph:

Recourse by
municipality
for reimbur-
sement.

"In such case, notwithstanding any law to the contrary, such municipality may cause such reimbursement to be effected by means of an execution upon the immoveables of the person hospitalized, or upon those of the persons bound by law or by agreement to maintain him, whatever be the amount of the judgment obtained, or the municipality may, in the case where the hospitalized person was not domiciled within its territory at the time of his admission to the hospitalizing institution, exercise its recourse for reimbursement against the municipality in which the hospitalized person had his domicile; but such recourse by a municipality shall be prescribed three years after the date of the payment made to the Government."

Prescrip-
tion.

R. S., c. 189,
s. 35, re-
placed.

6. Section 35 of the said act is replaced by the following section:

Recovery of
amount due
by munici-
palities.

"**35.** The amount due by a corporation obliged to maintain any indigent in a public charitable institution under the foregoing provisions shall be recovered by means of an ordinary suit before any court of competent jurisdiction."

7. Form 1 of the said act, as replaced by the act 21 R. S. c. 189, George V, chapter 82, section 10; form 2, as amended by Forms 1, 2, the act 19 George V, chapter 61, section 3, and replaced by 3 and 4, re- the act 21 George V, chapter 82, section 10, and forms 3 placed. and 4, are replaced by the following forms:

“1.—(Section 22, § 1)

“Application for Admission of an Indigent Person to a Public Charitable Institution

(Date and place)

To the authorities of *(name of the public charitable institution)*.

The undersigned applies for the admission of an indigent person into *(name of the institution)*.

Name of the applicant *(in the case of a married woman or a widow, give her name in full and also the name in full of her husband)*.

Name of the indigent person *(in the case of a married woman or widow, give her name in full and also the name in full of her husband)*.

His occupation

His age

His present domicile *(indicate the municipality in which the domicile of the indigent person is situated)*.

His previous domiciles *(indicate the municipality or municipalities in which the two previous domiciles of the indigent were situated)*.

I, the undersigned, being duly sworn, do declare that the foregoing information is true, and that the person above-named is indigent.

Sworn before me

this

at

(Signature)

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Witnesses:

J. P. *(or Com. of the S. C.)*

(Signature)

(Post Office address of applicant).

“2.—(Section 22, § 2)

“Certificate of the Municipal Authorities establishing the Absolute Indigency

(Date and place).

I, the undersigned, mayor (councillor or alderman or any other person authorized to deliver such certificate, in the mayor's absence) of _____ in the county of _____ being duly sworn, declare to the best of my knowledge, after having been credibly informed that (name in full, age and occupation of the indigent person. In the case of a married woman, her name in full as well as that of her husband must be given) is indigent and must be placed in a public charitable institution. I further declare, subject to the provisions of section 32a of the Quebec Public Charities Act, that the municipality has not obtained, does not obtain and will not obtain any sum of money or other value whatsoever in payment of its share of the hospitalization of the indigent person whose admission is applied for according to Form 1.

I further certify that.....is an indigent who has no means of support nor any one bound by law or otherwise to provide for his needs according to Articles 165 and following of the Civil Code.

(Signature)

(Post Office address)

Sworn before me

this 19

at

(Signature)

