



CHAPTER 133

An Act to amend the charter of *l'Hôpital St. Luc*

[Assented to, the 3rd of December, 1931]

WHEREAS the corporation of *l'Hôpital St. Luc* has, by Preamble. its petition, represented that the powers it possesses under the act 8 Edward VII, chapter 136, as amended by the act 18 George V, chapter 129, are insufficient and that it needs more extended powers;

Whereas the corporation has, in addition, represented that it entered into a contract with the city of Montreal on the 7th of August, 1931, before Jean Baudouin, N.P., under No. 12562 of his minutes, by which it undertook to construct, furnish and maintain in the city of Montreal, on the immoveable property mentioned in the said contract, a hospital with a capacity of at least three hundred beds, for the hospitalization and treatment of persons suffering from contagious diseases, the city undertaking to guarantee the payment both as to principal and interest of the loan which will be made by the said corporation for the constructing of the said hospital and its furnishing, provided that such loan does not exceed one million five hundred thousand dollars and the rate of interest be not higher than 5% per annum;

Whereas, by the said contract, the city undertook to pay to the said corporation the sum of three dollars and thirty cents per day for each bed occupied and, in addition, to pay it each year an amount sufficient to repay the deficit which may exist at the end of each year if the receipts be insufficient to pay the interest and the sinking-fund on the said loan, as well as the expenses of administration and of the upkeep of the hospital;

Whereas, by the said contract, the said lands which belong to the city are leased to the said corporation for a period

of twenty-five years starting from January 1st, 1934, and that it is stipulated that at the expiration of such period the city shall become the absolute and sole owner of the hospital and its equipment unless a new contract be entered into between the parties;

Whereas it is in the public interest that this hospital be constructed and maintained;

Whereas doubts have arisen as to the rights of the said corporation and the city to enter into this contract, and

Whereas it is expedient to grant the prayer contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

8 Ed. VII, c. 136, s. 4, replaced.
Purposes of the corporation.

1. Section 4 of the act 8 Edward VII, chapter 136, is replaced by the following:

“**4.** The object for which the present corporation is constituted is to relieve the sick, the afflicted, orphans, poor children in the schools and others and all similar objects.”

8 Ed. VII, c. 136, s. 5, replaced.

2. Section 5 of the act 8 Edward VII, chapter 136, as replaced by the act 18 George V, chapter 129, section 1, is again replaced by the following:

Powers of the corporation.

“**5.** The corporation is empowered to found and maintain hospitals in the city of Montreal and elsewhere in the Province of Quebec and, for such purpose, acquire moveable and immoveable property, accept and receive from any person, partnership, company or corporation, gifts in money or gifts of moveable or immoveable property.”

8 Ed. VII, c. 136, s. 6a, replaced.

3. Section 6a of the act 8 Edward VII, chapter 136, as enacted by the act 18 George V, chapter 129, section 2, is replaced by the following:

Powers to contract loans by means of bonds, etc.

“**6a.** The said corporation shall have the right to borrow, by means of bonds or debentures, any sum of money which it may need for the purposes for which it was created, and to bind, pledge, mortgage, or hypothecate its moveable and immoveable property to guarantee such loans. For such purposes, the provisions of sections 10 and following of chapter 227 of the Revised Statutes of Quebec, 1925, as amended, shall apply.”

Provisions applicable.

Power to contract loans by means of notes.

The corporation may also borrow, from time to time, according to its needs, by notes which it may renew, provided that the total amount of the loans thus contracted

and unpaid does not at any time exceed the sum of one hundred thousand dollars. Such power shall be continuous and shall not be exhausted by the fact that it shall have been exercised, in whole or in part, at different periods.

4. Without restricting the powers conferred by its charter, the corporation of *l'Hôpital St. Luc* is further authorized to construct a hospital in the city of Montreal for the hospitalization and treatment of persons suffering from contagious diseases, and to borrow, by means of bonds or debentures, for the constructing and furnishing of such hospital and for the purchase and installation of material or accessories needed to give the patients modern treatment in current use, an amount not exceeding one million five hundred thousand dollars, for a period not exceeding twenty-eight years from January 1st, 1931.

Such loan may be repayable by annuities or semi-annuities, or by yearly or half-yearly payments, or by means of a sinking-fund. The period for repayment by yearly or half-yearly payments or for contributing to the sinking-fund may begin only from January 1st, 1934.

5. The contract entered into on the 7th of August, 1931, before Jean Baudouin, notary public, under No. 12562 of his minutes, between the said corporation and the city of Montreal, is hereby ratified, and it is declared that the parties to the said contract had the right to enter into same.

The said corporation and the city may agree, for the said loan, upon a higher or lower rate of interest than that of five per cent mentioned in the said contract, and may alter, if they deem expedient, the conditions of the said contract, provided that the alterations do not conflict with this act.

6. The obligation assumed by the city to guarantee the payment of the said loan, both in principal and interest, may be fulfilled in the manner which the parties may agree upon, the city being especially empowered to sign, as joint and several debtor with the said corporation, the bonds or debentures which may be issued, or to endorse them.

7. Every sum of money which the city may be called upon to pay under the said contract or this act shall be paid out of the revenues of the city and the borrowing power of the city shall not be affected by this act or by the said contract.

Acts, etc.,
authorized
by resolu-
tion.

8. Any act which the city may be called upon to do or any consent which it may be called upon to give in virtue of this act or of the said contract may be authorized by mere resolution.

Coming into
force.

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