



CHAPTER 155

An Act to amalgamate the District of Bedford General Hospital and the Perkins Hospital Corporation, under the name of "Brome-Missisquoi-Perkins Hospital"

[Assented to, the 4th of April, 1931]

WHEREAS the District of Bedford General Hospital Preamble.

and the Perkins Hospital Corporation, herein represented and acting by the persons hereinafter named, and another, by their petition have alleged and shown that the said institutions were duly incorporated bodies; that the said Perkins Hospital Corporation was incorporated for the purpose of availing itself of the terms of the will of the late Edward C. Perkins, in his lifetime hotel-keeper, of the city and district of Montreal; that the residue of the estate of the said deceased is being administered and was intended for the needy sick of the county of Brome; that the District of Bedford General Hospital is now reasonably equipped to receive sick persons from the district of Bedford generally, and has been so recognized by grants from the Treasury of the Province of Quebec; that the philanthropic interests of the said institutions are intimately interwoven and the objects they have in common could be more economically and efficiently advanced by their union or amalgamation; and have prayed that they may be amalgamated or united for the purposes of this act;

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

1. Claude B. Jameson, sheriff of the village of Sweetsburg, Ernest Fleury, notary public, mayor of the village of Knowlton and warden of the county of Brome, Ralph F. Stockwell, advocate and King's Counsel, of the village of Cowansville, Richard D. Wells, justice of the peace, Louis

A. Giroux, advocate and King's Counsel, both of the village of Sweetsburg, Rev. S. Wesley Boyd, B.D., Th.D., Jules Côté, notary public, Carl C. Cotton, D.D.S., of the village of Cowansville, Mark E. Tibbits, farmer and mayor of the township of Brome, C. Ulric R. Tartre, notary public and mayor of the village of Sutton, George A. Cameron, farmer and mayor of the township of East Farnham, Homer A. Holden, gentleman and mayor of the village of Brome, Alvin P. Hillhouse, manager and mayor of the village of Foster, Percy W. Taber, agent and mayor of the village of East Farnham, Follin H. Pickel, physician and surgeon, of the village of Sweetsburg, and all such persons as are now life members and members of the said District of Bedford General Hospital or the Perkins Hospital Corporation, and all such other persons who shall hereafter contribute to the institution hereby created, either by a donation respectively of at least two hundred and fifty dollars, or who shall sign the constitution and regularly continue to pay annually towards its support not less than five dollars; and their successors, are hereby created a body politic and corporate at the village of Sweetsburg in the district of Bedford, in the Province of Quebec, under the name of the "Brome-Missisquoi-Perkins Hospital".

Name.

Amalgamation.

2. The District of Bedford General Hospital, as heretofore constituted, and the Perkins Hospital Corporation, as heretofore constituted, are hereby amalgamated into a new body corporate and politic under the name aforesaid.

Repeals.

3. The existing charter and letters patent of the two amalgamating hospitals are hereby abrogated and the charter of the said Brome-Missisquoi-Perkins Hospital shall be as hereinafter provided.

Assets, etc.,
vested in
new corporation.

4. All the assets, liabilities, rights, privileges and re-prises whatsoever heretofore enjoyed or owned by the said amalgamating hospital corporations are hereby vested in the said "Brome-Missisquoi-Perkins Hospital".

Transfer of
assets, etc.

5. The executors, administrators and trustees under the will of the late Edward C. Perkins, in his lifetime hotel-keeper, of the city and district of Montreal, to wit, The Crown Trust Company of Montreal, are hereby enjoined, ordered and authorized, to pay over and transfer on demand to the legally constituted officers of the Brome-Missisquoi-Perkins Hospital all such assets and monies as it may be possessed of in its said quality, as forming the residue of the estate of the said late Edward C. Perkins.

6. The duly constituted officers of the said Brome-Missisquoi-Perkins Hospital are hereby authorized to receive all such monies and other assets and to invest the entire principal thereof as an endowment fund in funds specified by the Civil Code of the Province of Quebec relating to trust funds and to use the interest thereof for the ordinary and general purposes of the said Brome-Missisquoi-Perkins Hospital.

Authoriza-
tion to re-
ceive and
invest
monies, etc.

7. The construction or building as now equipped, endowed and operated at the village of Sweetsburg heretofore known as the District of Bedford General Hospital and hereafter to be known as the Brome-Missisquoi-Perkins Hospital shall be deemed to be legally formed, organized and established in and for the county of Brome, as intended and specified by paragraph 6, sub-paragraph 2, of the will of the late Edward C Perkins and reading as follows:

Present or-
ganization
deemed to
conform to
terms of will
of the late
E. C.
Perkins.

"If during said five years after my decease or during the next two years thereafter, a legally formed association is organized to establish in and for the county of Brome, in said Province, an hospital for the care of sick and poor people, I wish and direct that all the residue of my said estate shall be used and employed for the construction, equipment and endowment of such an hospital which shall be called the Perkins Hospital."

Will cited.

8. The corporation shall have perpetual succession and may have a common seal, with power to change, alter, break and renew the same as often as they think proper, and the corporation may, under the same name, contract and be contracted with, sue and be sued, implead and be impleaded, prosecute and be prosecuted in all courts and places whatever in the Province.

Succession,
seal, power
to contract,
etc.

9. The corporation shall have the right to take, hold and possess all moveable and immoveable property which may legally have been or may be hereafter given, granted, purchased, appropriated, or devised or bequeathed in any manner whatever for, to and in favour of the said District of Bedford General Hospital or the Perkins Hospital Corporation or the presently created institution for the purposes for which the corporation is hereby created, and upon such terms and conditions, not inconsistent with the purposes hereof, as the donor or testator thereof may impose, subject, nevertheless, to the restrictions hereafter imposed; provided always, that the immoveable property held for permanent purposes by said corporation shall not

Power to ac-
quire prop-
erty.

exceed in annual value the sum of twenty thousand dollars, and provided also, that no immoveable property bequeathed to the said amalgamated hospitals and not intended to be permanently occupied or used by the corporation, nor to be leased by them as a source of revenue, shall be retained by the corporation for a longer period than ten years from the acquisition thereof.

Conditions
of hypo-
thecary
loan.

If, however, the governors should deem it advisable to borrow money on mortgage and for that purpose to hypothecate any immoveable property other than that held for the permanent purposes of the hospital, they shall have power to do so, provided the proceeds of such hypothecation be used for the purposes for which the said immoveable property had been given or bequeathed.

Power to
dispose of
properties.

10. The corporation shall have the power to sell and convey, let or lease, any immoveable property appertaining to them, as they may deem advisable for the interests of the corporation; provided always, that all moneys from time to time to be received by them on account of any real estate by them alienated, or to be alienated, or on account of the capital of any ground rent, or otherwise than by way of contribution not made for investment, shall be dealt with as capital only and not income, and shall be promptly invested, either in buildings or in real estate for the occupation of the said hospital, or in the securities hereinafter mentioned; but no person shall be bound to see to the application of the money by him paid to the corporation.

Objects of
corporation.

11. The intents and purposes for which the corporation is hereby created are declared to be:

1. The admission and care of sick persons and convalescents without distinction of race or creed, subject only to such limitations and charges as may be hereinafter determined upon and settled by the by-laws of the corporation;

2. The reception of sick persons as pauper patients, subject to such limitations and regulations as may be determined by the by-laws;

3. The granting of relief to persons requiring the same from sudden accident;

4. The giving of medical advice and medicines to the poor, subject to such regulations as may be determined by the by-laws.

Composi-
tion.
Classifica-
tion of
members.

12. The corporation shall be composed of life members and members. All donors of two hundred and fifty dollars or upwards shall be life members, and all subscribers of five

dollars a year and upwards per annum shall be ordinary members. And, in addition to the foregoing, the county council of the county of Brome at its quarterly meeting held in the month of March annually may elect seven persons from among its members, who, for all the purposes of this act and the by-laws of the corporation, shall be deemed fully qualified as governors or members of the executive committee to form part thereof as hereinafter provided and notwithstanding the terms of section 14 of this act. But the failure by the county council, in any year, to nominate the seven governors aforesaid shall not of itself invalidate the acts of the governors elected at large acting within the provisions of this act and the by-laws of the corporation, insofar as a quorum thereof is concerned, or otherwise. Governors.

13. The affairs of the corporation shall be managed by an executive committee of fifteen whose members are styled governors, composed of the seven nominees of the county council of the county of Brome aforesaid and eight governors elected annually at large from amongst the duly qualified members of the corporation. Administration.

14. All life members and all ordinary members who are donors of fifty dollars or upwards and subscribers to the funds of the hospital to the amount of at least five dollars per annum, and not in arrears for any such subscription, shall be eligible as governors. Qualification for governors.

15. The election of governors at large shall be by ballot taken at the annual meeting of the corporation; and shall be held in accordance with the rules and regulations prescribed by the by-laws. Election of governors.

In the balloting every life member shall have a right to cast five ballots, every donor of fifty dollars and upwards, who is an annual subscriber of five dollars or upwards, three ballots, and all other ordinary members, one ballot each. Voting.

16. The governors shall hold office for one year and until their successors shall be appointed. Tenure of office.

17. In the case of the death, resignation or disqualification of any governor, it shall be in the power of the board of governors of the corporation to appoint a qualified member to serve in his stead for the unexpired remainder of the term for which he was elected. Replacement of governors.

Date of election of governors.

18. The election of the eight governors at large aforesaid shall take place at the annual general meeting of the life members and members to be held in the month of May in each year.

Election of officers.

Following the election of governors aforesaid, the executive committee elected and nominated as aforesaid, as conveniently as may be after each annual general meeting, shall elect from its members a president, a vice-president, a secretary and a treasurer, who shall have such powers and discharge such duties as by by-law in that behalf may be ordained, and who shall serve for the term of one year and until their successors shall be appointed, and in case of death or resignation or disqualification of any such officer, the board, as conveniently as may be, shall elect another of themselves to serve as such officer for the unexpired remainder of his term of office, and shall further elect another governor to fill the vacancy so created from amongst the members duly qualified to serve as governors.

Right to vote.

19. At all meetings of the corporation, whether the same be general or special, every life member and every ordinary member thereof who has paid the current year's subscription, shall be entitled to one vote on all questions other than the election of governors, and such questions shall be determined by the majority of votes given in respect thereof.

Casting-vote.

In case of an equality of votes, the president, or in his absence the chairman of the meeting, shall have the casting-vote.

Appointment, etc., of employees.

20. The executive committee shall have the appointment and removal of the matron and other officers, attendants and servants of every grade required in and about the corporation.

Powers of executive committee.

21. The executive committee shall have full power in all things to administer the affairs of the said corporation, and may make or cause to be made any contract which the corporation may by law enter into, and may, from time to time, make by-laws to regulate the term and service, the appointments, functions, duties and removals of all attendants, officers, servants and apothecaries, the management and disposal of funds and charities, the imposing and recovering of a penalty and forfeiture admitting of regulation by by-law, and the conduct in all other particulars of the affairs of the corporation, and may, from time to

time, repeal, amend or re-enact the same, but all such by-laws or the repeal, amendment or re-enactment thereof, unless in the meantime confirmed at the general meeting of the corporation duly called for that purpose, shall have force only until the next annual meeting of the corporation, and, in default of confirmation thereat, shall at and from that time only cease to have force; provided always that ^{Proviso.} twenty or more members of the corporation shall have the right at all times to call a special meeting of the corporation for the transaction of any business specified in such writing, requisition or notice as they may issue to that effect; and ^{Effect of by-laws, etc.} such by-laws, rules and regulations shall have the same force and effect as if they were embodied in this act; and copies thereof purporting to be signed by the president and secretary of the corporation, shall be received as *prima facie* evidence thereof in all courts of justice.

22. The corporation may, from time to time, invest ^{Investment of surplus funds, etc.} any surplus funds or moneys belonging thereto, in public securities, and all such other securities as may be sanctioned by law for the investment of trust funds, but the provisions hereof shall not prevent them from accepting and taking personal security in addition to the security hereinbefore provided for.

23. The several persons named in section 1 of this act shall be the provisional board of governors of the corporation, and, as such, shall administer the affairs of the corporation until the first meeting of the corporation, which meeting shall be held within one year after this act shall come into force. ^{Provisional board of governors.}

The said provisional board, during their tenure of office, shall have all the powers conferred by sections 17, 18, 20 and 21 of this act upon the governors of the corporation. ^{Powers of same.}

24. It shall be lawful at the first meeting of the corporation to transact generally any business connected with the corporation and to elect governors in accordance with the provisions of this act. ^{First meeting.}

25. The qualification of ordinary membership as set forth in section 12 of this act may be changed by by-law of the corporation, as its wants or necessities may require. ^{Qualification of members.}

Statement
to Lt.-Gov.
in C.

26. The corporation shall, whenever required by the Provincial Secretary, send to the Lieutenant-Governor in Council, a statement of its moveable and immoveable property, the names of its officers and a certified copy of its by-laws.

Coming into
force.

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