



CHAPTER 130

An Act respecting *L'Hôpital Français*, and changing its name to that of *L'Hôpital Sainte-Jeanne d'Arc*

[Assented to, the 15th of March, 1928]

WHEREAS *L'Hôpital Français*, of Montreal, a benevolent corporation of the city of Montreal, incorporated by the act 10 George V, chapter 136, as amended by the act 14 George V, chapter 120, has, by its petition, prayed for the amendment and consolidation of its charter, so as to amend its constitution, better define its powers and grant it additional ones; Preamble.

Whereas it is expedient to grant the prayer to that effect 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:

1. The name of the corporation of *L'Hôpital Français*, Change of name. of Montreal, is hereby changed to that of *L'Hôpital Sainte-Jeanne d'Arc*.

2. The incorporation of *L'Hôpital Sainte-Jeanne d'Arc*, in Montreal, except as otherwise provided in the present act, is confirmed with all rights, powers and privileges, granted by the statutes mentioned in the preamble to this act, and, in particular, it has the right to establish, maintain and administer a hospital with branches and annexes in the city of Montreal and in the Province of Quebec. The said corporation has had in the past and shall have the right to acquire, receive, hold, possess and use all immoveable property, and all money or moveable property which may have been or may be hereafter given, granted, purchased, appropriated, devised or bequeathed in any manner whatsoever for, to or in favour of the cor- Rights and powers.

poration, for the purposes for which the said corporation is created, and upon such terms and conditions as are not inconsistent with the purposes hereof, and provided the net annual revenue from the immoveables it may hold in the Province for revenue purposes only, not including the immoveables it already possesses or those that it may acquire in place of the latter, or with the proceeds of the same, shall not exceed two hundred thousand dollars.

Disposal of
excess pro-
perty.

In the event of the said corporation acquiring, by legacy, gift or otherwise, any immoveable property over and above what it is authorized to hold, such acquisition shall not be null on that account, but the said corporation shall be bound, within ten years from the coming into possession of the said property, to sell or alienate the same or any other of its properties so as not to exceed the amount above specified.

Alienation
of property.

The said corporation shall also have the power to sell and convey, let or lease the immoveable and moveable property belonging to it.

Borrowing
power.

The said corporation shall also have the power to borrow money for the purposes of the hospital and to issue bonds, debentures or debenture-stock therefor, and to hypothecate, mortgage or pledge any property, moveable or immoveable, which it may own, to secure such loans, bonds, debentures or debenture-stock.

Corporate
seat.

3. The corporate seat of the corporation shall be in the city of Montreal.

Purposes of
the corpora-
tion.

4. The purposes of the corporation shall be:

a. To establish, maintain and administer a hospital with the necessary branches and annexes, where patients, without distinction of religion or nationality, may be admitted and treated;

b. To train nurses and mothers' aids and grant diplomas or certificates of capacity as such to such persons, after fulfilling the formalities and conditions to that end required by the by-laws.

Composi-
tion.

5. The corporation of *L'Hôpital Sainte-Jeanne d'Arc* shall consist of: the present life governors, insofar as they shall be qualified as such, and those who shall hereafter become life governors.

Administra-
tion.

6. The administration and government of the corporation are vested in the life governors only, represented and acting through a board of management.

7. The life governors of the corporation shall consist of all those who have made a gift of at least one hundred dollars to the hospital, but in order to exercise such right, they shall pay, at the date fixed by the by-laws, an annual contribution of at least ten dollars.

8. Except insofar as is hereinafter provided regarding the medical board, the affairs of the corporation are managed, and the corporation is governed by a board of management consisting of twenty-three members, five of whom shall be physicians and heads of departments, selected by the board of management for as long only as they are retained in their position of heads of departments; the other eighteen shall be chosen from among the life governors and elected as follows: one-third every two years, one-third every four years and one-third every six years and so on; the drawing of lots to determine which six shall retire on the third Wednesday of October, 1929; on the third Wednesday of October, 1931, and on the third Wednesday of October, 1933. Retiring directors may be re-elected.

9. No physician may be elected to the board of management, except the five members mentioned in the preceding section.

10. The board of management may adopt by-laws, not contrary to law nor inconsistent with the provisions of this act, for the management, control and government of the corporation, and for the purposes of assuring the existence of the hospital and of its branches or annexes, and, in particular, for fixing the date and the mode of preceeding for the affairs of the annual general meeting, of special meetings of the corporation, and the meetings of the board of management; the nomination, qualification, duties, conduct and remuneration of the officers, employees and servants of the corporation and of the hospital; the payment of subscriptions; the organization and maintenance of an association of lady-patrons or of other associations calculated to secure the proper working of the hospital; the carrying out of all the decisions of the medical council; the determining of the quorum of its meetings and of the general meetings of the corporation.

11. The board of management may borrow such sums as it deems expedient, on behalf of the corporation and for its objects, and hypothecate and pledge the property of the corporation for security for the repayment of such loans.

- 12.** The members of the medical board, insofar as they shall be qualified as such, shall be admitted to take part in the proceedings of the annual general meetings of the corporation but cannot vote thereat unless they are life governors.
- 13.** The annual meeting of the corporation shall be held on the third Wednesday of February, 1929, or at any date fixed by the board of management, to take cognizance of the various reports of the year, and to proceed to the election of the members of the board of management.
- 14.** The board of management shall meet within the fifteen days following the annual general meeting for the purpose of electing a president, two vice-presidents, a treasurer, a secretary, a manager, and a medical superintendent.
- 15.** Every vacancy on the board of management which arises during its existence through death, resignation or otherwise, is filled up for the remainder of the term by the board of management.
- No delay or negligence, however, in filling such vacancy, shall in any way affect the powers of the other members of the board of management, who, so long as they constitute at least a quorum of the board, continue to administer and govern, as if such vacancy did not exist.
- 16.** The board of management appoints the officers, whom it deems necessary for the purposes of the hospital and of the corporation, and fixes their salaries and wages. It may also remove them if it think proper, but only by a vote of two-thirds of the members of the board of management.
- It may entrust to nuns the care of the sick and the internal management of the hospital, particularly as to what relates to the supervision, number, engagement and dismissal of employees and servants; and it may enter into and make any deed or contract setting forth the conditions of any arrangement to that effect.
- It also appoints the medical officers of the hospital and attached physicians, whether as consulting physicians, attending physicians, house physicians or others, and fills vacancies arising in these offices, and may also dismiss physicians.
- The heads of the medical and surgical departments and the heads of other departments at the option of the board of management shall constitute the medical board of *L'Hôpital Sainte-Jeanne d'Arc*.

17. The medical board has the control of the medical and surgical administration of the hospital, makes by-laws to that effect and has the right to select and recommend to the board of management the officers of the various medical and surgical services of the hospital and its annexes, and also to demand their removal if need be. The same shall apply to the appointment of the assistants for the various medical and surgical services of the hospital.

It may also make any regulation it may deem expedient for the proper medical, surgical or scientific administration of the hospital and its annexes. Every such regulation, however, before coming into force, must have the approval of the board of management.

18. The board of management cannot make any medical appointment for educational purposes, unless an agreement has been entered into between it and the council of the Faculty of Medicine of Montreal University which appoints the physicians in accordance with the agreement entered into between the board of management of the hospital and the council of the Faculty of Medicine of Montreal University.

19. The medical board shall be bound to meet every month to study and to examine into the working of the various departments, the treatments given to the various patients cared for in the hospital during the month, and the results obtained, to report on such meetings and to make to the board of management any suggestions it may deem expedient to aid the latter in the discharge of its duties and for the greater benefit of the medical and surgical organization of the hospital.

20. The medical board shall keep minutes of its proceedings and keep them at the disposal of the board of management.

It may adopt by-laws for the holding of its meetings and for determining the quorum thereof; and for establishing the number, titles and duties of its officers, which by-laws require to be approved by the board of management.

In the case of non-paying patients who die in the hospital, the attending physician or the medical superintendent may hold or cause to be held a *post-mortem* examination of the body, if he consider that such *post-mortem* examination is desirable from a scientific point of view and to establish the true cause of death; and the medical board may make the regulations which it deems necessary for that purpose,

provided that nothing in this section shall be interpreted contrary to the provisions of the law respecting anatomy.

Non-paying patient.

Every patient shall be considered a non-paying patient within the meaning of this section, whose hospital treatment is paid for, on account of his poverty, by a municipal corporation, or who pays two dollars per day.

Provisions repealed.

21. The acts 10 George V, chapter 136, and 14 George V, chapter 120, are repealed, but such repeal shall not affect any acquired right or obligation assumed by the corporation.

Officers to remain in office.

The present officers of the corporation, attending physicians or other medical officers of the hospital shall remain in office as if they had been elected or appointed under this act, the whole subject to the foregoing provisions as to their replacement at the expiration of their term of office or in the event of a vacancy in their office.

Annual statement to Lt.-Gov. in C.

22. The corporation shall transmit to the Lieutenant-Governor in Council, annually in the month of January, and whenever thereunto required, a statement of the property held by the corporation, the names of its officers and a copy of its rules and by-laws.

Coming into force.

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