



## CHAPTER 5

An Act to ratify the contract entered into between the Government and *L'Institut des Petites Sœurs Franciscaines de Marie*, respecting the care, maintenance and custody of idiots and patients, sent to them by the Government, in *Hospice Sainte-Anne - de - la - Baie - Saint-Paul*

[Assented to, the 1st of April, 1927]

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

**1.** The contract, hereinafter set forth as an annex to this act, respecting the care, maintenance and custody of idiots and patients in *Hospice Sainte-Anne-de-la-Baie-Saint-Paul*, in the county of Charlevoix, passed on the second day of February, nineteen hundred and twenty-seven, before Adolphe Labrègue, notary, under number six thousand, two hundred and seventy-two of his minutes, between the Government of the Province of Quebec and *L'Institut des Petites Sœurs Franciscaines de Marie*, is approved and ratified.

**2.** This act shall come into force on the day of its sanction. Coming into force.

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## CONTRACT

On the second day of February, in the year one thousand nine hundred and twenty-seven,

Before ADOLPHE LABRÈQUE, Notary Public for the Province of Quebec, residing and practising in the city of Quebec,

## CAME AND APPEARED:

HIS MAJESTY THE KING, herein represented by the Honourable ATHANASE DAVID, of the city of Montreal, King's Counsel, Secretary of the Province of Quebec, to the effect of these presents authorized by an Order-in-Council, No. 2380, dated the twenty-second day of December, one thousand nine hundred and twenty-six, approved on the next day by His Honour the Lieutenant-Governor, a copy whereof is annexed to the original minute of these presents, hereinafter called

*"Party of the First Part";*

## AND

L'INSTITUT DES PETITES SŒURS FRANCISCAINES DE MARIE, a body politic and corporate, having its chief place of business at Baie-Saint-Paul, in the county of Charlevoix, herein represented by Sister Marie Reine Elizabeth Ouellette, in religion Sister Marguerite-Marie, *Econome Générale* of the said *Institut*, specially authorized for the purpose of the present deed by a resolution of the Council of the said Institute, dated the eighteenth day of January last (1927), a copy whereof has been annexed to the original minute of the present deed, after having been acknowledged by the said Sister Marguerite-Marie and signed this day by her and by the undersigned notary, hereinafter called

*"Party of the Second Part"*

Who have entered into the following contract:

## I

## CARE AND MAINTENANCE OF THE PATIENTS

*L'Institut des Petites Sœurs Franciscaines de Marie* oblige themselves towards the Government of the Province, for the term of twenty-six years, which commenced to run on the first of December, nineteen hundred and twenty-six, to receive and lodge in *Hospice Sainte-Anne-de-la-Baie-Saint-Paul*, in the county of Charlevoix, idiots of both sexes and patients suffering from stoppage of mental or physical development or from epilepsy, who shall be confined to them by the Government; to feed, clothe and maintain them and provide them with heat and light, in a suitable manner;

to give them all the care they may require, both in health and sickness, and to provide them with the medical attendance and medicines required by their condition, the whole according to the stipulations hereinafter set forth.

## II

### FOOD, ETC.

The food and clothing given, as well as the beds and bedding supplied by the nuns, shall be approved by the Party of the First Part and by the Medical Director of Hospitals for the Insane.

## III

### CLOTHING AND WORK OF THE PATIENTS

The clothing of the patients shall, in the case of those who can go out, correspond to the different seasons.

The amusements, physical exercises, and even the work, for those who may be benefited by it, shall be regulated in accordance with the health and capacity of the patients and with the requirements of their education.

## IV

### GUARDIANS, AND NURSES, MALE AND FEMALE

The male or female guardians and male or female nurses furnished by *Les Sœurs* shall be sufficiently numerous, so that there shall not be on an average more than twelve patients confided to the care of each.

## V

### VISITS OF PHYSICIANS, INSPECTORS, ETC.

*Les Sœurs* shall give every possible facility to the Medical Director of Hospitals for the Insane, the government physicians, and the visitors and inspectors of asylums, and shall afford them every assistance, so as to facilitate their labours and the performance of their duties, and shall comply with all recommendations, suggestions and orders which may be made and given by the Medical Director of Hospitals for the Insane, or the physicians attached to the said *Hospice*, and also with all orders which may be given to them by the Lieutenant-Governor in Council.

## VI

## CONTRACT SUBJECT TO LAW GOVERNING ASYLUMS

This contract shall also be subject to the law of the Province of Quebec governing the insane and asylums for the insane, and specially for the medical treatment and the powers and attributes of the Medical Director of Hospitals for the Insane, his assistant, and the physicians attached to the said *Hospice*.

## VII

## PRICE FOR MAINTENANCE OF EACH PATIENT

The Government undertakes to pay to *Les Sœurs*, from the first of January, nineteen hundred and twenty-seven, a sum of two hundred dollars per annum for each patient who shall be confided to them as aforesaid, and for the whole time only of such patient's confinement. Such payment shall be effected by quarterly instalments, upon production of a detailed account, made in accordance with the form of account approved by the Government.

The Government shall pay annually to the said *Sœurs*, during the whole term of this contract, for at least five hundred patients, whom it agrees to place and keep continually under their care.

## VIII

## SERVICES OF CHAPLAIN

The Government undertakes to pay annually to the chaplain of the Institute the sum of one hundred dollars, payable quarterly.

## IX

## TRANSPORTATION OF PATIENTS

The patients so confided to the care and keeping of *Les Sœurs* 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.

## X

## ESCAPE OF PATIENTS

If, after their arrival at the *Hospice*, any patients should escape or get away from the *Hospice*, *Les Sœurs* shall be bound, at their own expense, to take all necessary steps to find them and bring them back thereto.

## XI

## NOTICE IN CASE OF ESCAPE

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

## XII

## NOTICE IN CASE OF DEATH

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

## XIII

## BURIAL EXPENSES

At each quarterly payment, the Government shall pay to *Les Sœurs* an additional sum of three dollars, for burial and other funeral expenses of each patient who has died at the *Asylum* during the quarter.

## XIV

## CANCELLATION OF THIS CONTRACT

Any violation of any of the clauses and stipulations of this contract on the part of *Les Sœurs* shall be considered as a sufficient cause or reason to annul the present contract *pleno jure*.

## XV

## ASSIGNMENT OF CONTRACT

*Les Sœurs* shall not have the right to assign the present contract, without an order of the Lieutenant-Governor in Council accepting such transfer.

## XVI

This contract replaces that entered into between the parties hereto, which expired on the first of December last (1926).

## XVII

## RATIFICATION

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

And by this same deed the parties hereto declare that the deed of transfer entered into by the Party of the Second Part to The Sun Trust Company, Limited, before the undersigned notary, on the twenty-ninth of January, nineteen hundred and twenty-six, and accepted by the Government of this Province, shall also apply to the present contract, with the desire and intent that the Government shall retain for a period of twenty-five years, from the first of January, nineteen hundred and twenty-seven, to the fifteenth of February, nineteen hundred and fifty-two, inclusively, from the grant made by the present contract to the Party of the Second Part, an annual sum of ten thousand dollars (\$10,000.00), paying it over half-yearly to The Sun Trust Company, Limited, on the fifteenth day of February and August of each year.

## INTERVENTION

In the present deed intervened The Sun Trust Company, Limited, a body politic and corporate having its chief place of business in the city of Montreal, herein represented by Mr. Jos. C. Hébert, notary, of the town of Montmagny, and Mr. J. Alphonse Fugère, of the city of Quebec, respectively director and manager of the Quebec office, duly authorized for the purposes hereof.

Which said Sun Trust Company, Limited, herein acting in its capacity as fiduciary for the holders of the debentures of *L'Institut des Petites Sœurs Franciscaines de Marie*, in

virtue of a trust deed passed before the undersigned notary on the twenty-ninth day of January, nineteen hundred and twenty-six, after having taken communication of these presents, declared that it accepted them and held itself sufficiently signified of same.

WHEREOF ACTE at Quebec, under number six thousand two hundred and seventy-two of the minutes of the undersigned notary.

And the parties have signed with me, notary, after due reading.

(Signed) "MARIE REINE ELIZABETH OUELLETTE,  
dite Sr. MARGUERITE-MARIE,  
*Econome Générale.*

" . ATHANASE DAVID,  
" JOS. C. HÉBERT,  
" J. ALPH. FUGÈRE,  
" AD. LABRÈQUE, N. P.

True copy of the original remaining in my office.

AD. LABRÈQUE, N. P.

COPY of the report of a committee of the Honourable the Executive Council, dated the 22nd of December, 1926, approved by the Lieutenant-Governor on the 23rd of December, 1926.

Respecting *L'Institut des Petites Sœurs Franciscaines de Marie.*

No. 2380.

The Honourable the Provincial Secretary in a report dated the 22nd of December, 1926, recommends that he be authorized to sign, for and on behalf of the Government of the Province of Quebec, a contract to be entered into between the Government of the Province of Quebec and *L'Institut des Petites Sœurs Franciscaines de Marie*, for the maintenance of insane patients in Ste. Anne de la Baie St. Paul Hospital, which contract must be ratified by the Legislature at its next session.

Certified:

(Signed) A. MORISSET,  
*Clerk of the Executive Council.*

True copy.

AD. LABRÈQUE, N. P.

## BISHOP'S PALACE, CHICOUTIMI

25th of January, 1927.

These are to inform you that I approve of the draft contract, copy of which you sent for my approval, as agreed between the Government and *Les Sœurs Franciscaines* of Baie St. Paul, respecting the care of the idiots who shall be entrusted to them.

(Signed) † MICHEL-THOMAS,  
*Bishop of Chicoutimi.*

LABRÈQUE & LABRÈQUE,  
Notaries.  
Quebec, Can.

True copy.

AD. LABRÈQUE, N. P.

At a meeting of the General Council of *L'Institut des Petites Sœurs Franciscaines de Marie*, held in the council chamber at the Mother House, Baie St. Paul, on the 18th day of January, nineteen hundred and twenty-seven, at which were present SISTERS MARIE CLAIRE D'ASSISE, Superior-General, MARIE DOMINIQUE, Assistant-General, M.-EGIDE D'ASSISE, MARIE FRANÇOIS D'ASSISE, and MARIE FRANÇOIS DE SALES, general councillors.

It is resolved:

That sister Marguerite-Marie, *Econome Générale* of our Institute, be hereby authorized to sign on behalf of the said institution the proposed contract with the Government of the Province of Quebec, and all other documents in connection therewith.

(Signed) SŒUR M. CLAIRE D'ASSISE, *Supre-Genle.*  
" SŒUR M. AGNÈS DE JÉSUS, *Secre-Genle.*

SEAL

Certified a true copy,

(Signed) SR. M. AGNÈS-DE-JÉSUS, *Secre-Genle.*

This document is the certified copy of the resolution passed by the General Council of *L'Institut des Petites Sœurs*



*Franciscaines de Marie*, on the eighteenth of January, nineteen hundred and twenty-seven, and referred to in the deed of agreement between the said institute and the Government of the Province of Quebec before the undersigned notary, on this day, which resolution I acknowledge to be a true copy.

Quebec, this second day of February, nineteen hundred and twenty-seven.

(Signed)    MARIE-REINE-ELIZABETH OUELLETTE,  
             dite SR. MARGUERITE-MARIE,  
                                 *Econome Générale.*

“            AD. LABRÈQUE, *N. P.*

True copy.

“AD. LABRÈQUE, *N. P.*”