



CHAPTER 56

An Act to amend the act respecting lunatic asylums

[Assented to, the 11th of March, 1926]

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

1. Section 20 of the Lunatic Asylum Act (Revised Statutes, 1925, chapter 190) is amended by replacing the first paragraph thereof, by the following:

“**20.** The following persons may be admitted to lunatic asylums at the expense of the Government and of city, town or rural municipalities, or, in the case provided for by section 52, at the expense of county municipalities.”

Persons admitted at the expense of Government, etc.

2. Section 42 of the said act is replaced by the following:

“**42.** When an insane patient is transferred from a gaol to an asylum, the expense of his maintenance, custody and treatment in the asylum shall be due and payable by the city, town or rural municipality in which the patient was arrested, or, if the patient was arrested in territory which has not been erected into a municipality nor annexed to a neighbouring local municipality, by the county municipality governing such territory, saving, always, the recourse of such municipality in cases in which the patient was not then domiciled within its limits, against the city, town or rural municipality in which he was domiciled, or against the municipality which governs the unorganized territory in which he was domiciled.”

R. S., c. 190, s. 42, replaced. Cost of maintenance of prisoners in asylum.

Recourse of municipality.

If, however, the municipality, called upon to pay in virtue of this section, indicates clearly to the Provincial Secretary, before the suit is taken, the place where the patient had his domicile before his arrest, the Government shall cause the municipality in which the patient had

Proviso.

his said domicile, or the county municipality which governs the territory in which he had his domicile, to pay directly."

R. S., c. 190, s. 52, replaced. **3.** Section 52 of the said act is replaced by the following:

Payment of costs of maintenance, etc. "52. In every case where an insane person is detained in an asylum at the expense of the Province and of the municipalities, one-half of the cost of the custody, maintenance and treatment of such insane person in the asylum shall be paid by the Government, and the other half by the city, town or rural municipality whence the patient comes, or, if the patient comes from any territory which has not been erected into a municipality or annexed to a neighbouring local municipality, the other half shall be paid by the county municipality which governs such territory.

Proviso. If, however, the municipality called upon to pay under the provisions of this section, indicates in a precise manner to the Provincial Secretary, before the suit is brought, the last place where the patient has had, in good faith, a domicile during six consecutive months, the Government shall cause such municipality, or the county municipality governing the unorganized territory in which the patient had such domicile, to pay directly."

R. S., c. 190, s. 54, replaced. **4.** Section 54 of the said act is replaced by the following:

Detailed list to be prepared. "54. On receiving such list, the Provincial Secretary shall, without delay, cause a detailed list to be prepared for each municipality, showing the sums of money due by it, and forward to the secretary-treasurer or clerk of the municipality interested a duly certified extract from such list, containing the names of the insane persons towards whose maintenance the municipality is bound to contribute, as well as the amount due by it for such insane persons, with a notice requiring him to pay into his hands, on or before the first day of May then next, the amount due for such contribution."

R. S., c. 190, s. 56, replaced. **5.** Section 56 of the said act is replaced by the following:

Suit, in whose name and before what court. "56. Such suit shall be taken by the collector of revenue for the district, in his own name, against every such municipality, before any court of competent jurisdiction."

R. S., c. 190, s. 57, replaced. **6.** Section 57 of the said act is replaced by the following:

Recovery of amount paid. "57. The amount paid by any municipality under the provisions of this act shall be considered as a debt which may be levied under the Municipal Code or the charter of the city or town, and may be collected in the same manner as an ordinary tax."

7. Section 62 of the said act is amended:

a. By striking out the words "city, town or county", in the fifth line of the first paragraph thereof;

b. By replacing the second paragraph thereof by the following:

"If, however, the municipality called upon to pay under the provisions of this section, indicates in a precise manner to the Provincial Secretary, before the suit is brought, the last place where the patient had, in good faith, his domicile during six months consecutively, the Government shall cause such municipality, or the county municipality governing the unorganized territory in which the patient had such domicile, to pay directly."

R. S., c. 190,
s. 62, am.

Payment of
costs.

8. Section 64 of the said act is replaced by the following:

"**64.** Any county municipality which has paid, under section 52, a sum of money to the Government for the maintenance, custody and treatment of any insane person, in an asylum or for his transport to or from an asylum, may, if the recourse prescribed by section 63 is insufficient, levy the sum necessary to reimburse it from the local municipalities in the county in the same manner as ordinary taxes imposed under the Municipal Code and due by such local municipalities.

R. S., c. 190,
s. 64, re-
placed.
Reimburse-
ment of pay-
ments by
county mu-
nicipality.

Whenever a municipality has paid a sum of money to the Government for an insane person, and cannot recover the amount from and out of the property of the said insane person or of those who are bound by law to provide for his maintenance, it may, in the two following cases,—

Id., by
local mu-
nicipality.

1. when the said insane person has no known domicile in the Province, or
2. when the municipality whence the said insane person comes is a poor municipality, and is recognized as such by the county council,—

recover from the county municipality, and the latter may levy the sum paid from the local municipalities in the county in the same manner as any ordinary tax imposed under the Municipal Code and due by the said local municipalities."

9. Section 88 of the said act is replaced by the following:

"**88.** When an insane person is transferred from a gaol to the Asylum for Insane Prisoners, the expense of his maintenance, custody and treatment in the asylum shall be due and payable by the city, town or rural municipality in which the patient was arrested, or, if the patient was arrested in territory not erected into a municipality nor an-

R. S., c. 190,
s. 88, re-
placed.
Cost of
maintenan-
ce, etc., in
Asylum for
Insane
Prisoners.

nexed to a neighbouring local municipality, by the county municipality governing such territory, saving, always, the recourse of such municipality in the case where the patient was not then domiciled within its limits, against the city, town or rural municipality in which he was domiciled or against the county municipality governing the unorganized territory in which he was domiciled.

Direct
payment.

If, however, the municipality called upon to pay in virtue of this section, indicates clearly to the Provincial Secretary, before the suit is taken, the last place where the patient had, in good faith, his domicile for six consecutive months, the Government shall cause the municipality, or the county municipality governing the unorganized territory in which the patient had his said domicile, to pay directly."

Coming into
force.

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