

C.—(Article 3464)

Application for exemption

I, the undersigned, being duly sworn, declare that I am more than 65 years of age (or other ground set forth at length, as the case may be), and therefore request to be exempted from serving as juror during the term of the Court of King's Bench.

Sworn before me, at this day of the month of 19.. } (Signature)

C H A P. 52

An Act respecting the establishment of an asylum for insane prisoners

[Assented to, the 4th of March, 1925]

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

1. In accordance with the provisions of this act, an asylum, under the name of "Asylum for Insane Prisoners", may be established to receive the insane sent from a penitentiary, a goal or any other place of confinement in the Province to be kept in an insane asylum in the cases provided for by any act of Canada or of this Province.

This asylum may be located in such place as may be determined by the Lieutenant-Governor in Council.

2. The Lieutenant-Governor in Council may have the necessary land acquired for the said asylum, and may, in conformity with the plans and specifications prepared under the direction of the Minister of Public Works and Labour, cause the necessary constructions and works to be executed upon the said land.

The cost of such acquisitions, constructions and works shall be paid out of the consolidated revenue fund.

Establishment of "Asylum for Insane Prisoners".

Location.

Acquisition of land, constructions, etc.

Payment of costs.

Powers of
Lt.-Gov. in
C.:

Regulate
the admis-
sion, etc.;

Contract for
the admis-
sion, etc.

Public asy-
lum for in-
sane estab-
lished by
O. C.

Power of the
Lt.-Gov. in
C. respect-
ing:

Orders for
internment
of insane;

Arrange-
ments with
Minister of
Justice.

Control and
supervision.

Appoint-
ment of
medical su-
perintendent,
etc.

Powers of
assistant
physician.

3. The Lieutenant-Governor in Council may:

1. Place the admission, custody, maintenance and treatment of the persons interned in such asylum under the direct control of Government employees, under the supervision of the Provincial Secretary; or

2. Enter into and renew a contract, with any person, association or corporation, for the admission, custody, maintenance and treatment of such prisoners, the said contract to be subject to ratification by the Legislature at the session following the date of its signature.

4. After the completion of the works referred to in the foregoing provisions and after the passing of an order-in-council enacting the manner in which the admission, custody, maintenance and treatment of the insane prisoners in the asylum, authorized by this act, is to be provided for, and after a contract to that effect has been made, if necessary, the Lieutenant-Governor in Council may issue a proclamation ordering that the said asylum shall, from the date fixed in the proclamation, be a public insane asylum for the admission, custody, maintenance and treatment of the classes of insane mentioned in section 1.

5. From and after the same date, the Lieutenant-Governor in Council may:

1. Order that an insane person then interned, under his warrant, in an insane asylum of this Province, after sentence, or while awaiting appearance or trial, or in consequence of an order of a court or judge or of the decision of a jury, be transferred to the asylum authorized by this act to be kept there until he is released or sent to such place of confinement as may be suitable in order that justice may be rendered to him, according to law;

2. Arrange with the Minister of Justice of Canada that the prisoners transferred from a penitentiary and then interned in an insane asylum in the Province under the Canada Penitentiary Act (R. S. C., c. 147, ss. 53-60) be interned in the asylum authorized by this act.

6. The Asylum for Insane Prisoners shall be under the control and supervision of the Provincial Secretary.

7. The Lieutenant-Governor in Council may appoint a medical superintendent for the Asylum for Insane Prisoners and physicians to assist him, with the salary he may fix.

The assistant physician, appointed for such purpose by the Lieutenant-Governor in Council, shall have and exercise all the powers of the medical superintendent, in the

event of the latter being absent or unable to act for any reason whatsoever.

The authorities of the asylum shall furnish the medical Office for superintendent and the assistant physicians with an office ^{physicians.} in their establishment, of sufficient dimensions and suitably furnished.

8. In accordance with the provisions of the law, the ^{Duties of} medical superintendent shall supervise the admission of ^{the superin-} patients into the asylum, their return to the penitentiary, ^{tendent.} gaol or other place of confinement, or their final discharge, as the case may be.

The medical superintendent shall have control over the ^{Idem.} medical service, the classification of patients and the treatment to be given to them, as mentioned in section 9.

The assistant physicians shall devote the whole of their ^{Duties of} time to the service of the patients, and prescribe the treat- ^{assistant} ment, medical or moral, approved by the medical superin- ^{physicians.} tendent, which appears to them the most suitable to hasten or ensure their cure.

9. The medical superintendent shall make a general re- ^{General re-} port, yearly, to the Provincial Secretary, indicating the ^{port to} number of patients admitted during the year, the date of ^{Prov. Sec.} their admission, and mentioning whether they have been returned to the gaol, the penitentiary or any other place of confinement, or permanently discharged.

The said report shall also indicate those who have been ^{Contents.} cured or whose health is improved, as well as those who died at the asylum or who have escaped. The report shall also give all other information required by the Lieutenant-Governor in Council.

10. Rules and regulations may be made by the medical ^{Powers of} superintendent, subject to the approval of the Lieutenant- ^{the super-} Governor in Council, for the medical, moral and physical ^{tendent.} treatment of the patients. Such treatment shall comprise medicines and prescriptions, restraint, classification, ventilation of buildings, regimen, diet, clothing and exercise.

The authorities of the asylum, the superintendent, the ^{Carrying} employees and servants shall carry out such rules and regu- ^{out of regu-} lations and shall assist the medical superintendent in exe- ^{lations.} cuting the orders given by him.

The medical superintendent may require the authorities ^{Dismissals.} of the asylum to dismiss the keepers, nurses and guardians for incompetence, insubordination or infraction of the rules and regulations. Such dismissal shall be obligatory if asked for by the Provincial Secretary.

Examina-
tion and
confinement
of insane.

11. Whenever the sheriff of any district has reason to believe that any person, confined in gaol for any offence whatever, is insane, he shall cause such person to be examined by the medical superintendent of an asylum for the insane, or by any other physician appointed by the Provincial Secretary; and, if the report of such physician, drawn up according to forms A and B or any other form prescribed by the Lieutenant-Governor in Council, establishes the insanity of such person, the sheriff shall at once send such certificates, with the copy of the order or warrant of commitment under which such person is imprisoned, to the Lieutenant-Governor, who, after examining such documents and any others that he may think necessary to require, may order the confinement of the prisoner in the Asylum for Insane Prisoners.

Transfer of
patients.

When a person, brought before a court on a criminal charge, is declared by the court to be not responsible for his acts, either because he is a deaf-mute or on account of senile dementia, and is sent to the Asylum for Insane Prisoners, the Provincial Secretary may transfer such patient from the Asylum for Insane Prisoners to another asylum or establishment suited to his state of health, and, for that purpose, the Provincial Secretary may make such arrangements, as he may deem most advantageous, with any such institution.

Payment of
transfer
expenses,
etc.

12. When an insane person is transferred from a gaol to the Asylum for Insane Prisoners, the expense of his maintenance, lodging and treatment in the asylum shall be due and payable by the municipality of the city, town or county in which the patient was arrested, saving the recourse of such municipality in the case where the patient was not then domiciled within its limits, against the municipality of the city, town or county in which he was domiciled.

Idem.

If, however, the municipality of the city, town or county, 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 of the city, town or county, in which the patient had his said domicile, to pay directly.

Idem.

The same provisions shall apply in all cases where an insane person is transferred from a penitentiary to the Asylum for Insane Prisoners and where the Dominion Government is not liable or ceases to be liable for the expense of his maintenance, lodging and treatment.

List to
Prov. Sec.

13. The authorities of the Asylum for Insane Prisoners shall, in the first fifteen days of January of each year, for-

ward to the Provincial Secretary a list containing the names of the insane patients who have been transferred to it, mentioning the penitentiary, gaol or other place of confinement from which they were sent to the asylum.

14. Articles 4139 to 4144 and article 4147 of the Revised Statutes, 1909, and the amendments to said articles, shall apply in the case of the transfer of an insane patient from a gaol, a penitentiary or any other place of confinement or from an insane asylum, to the Asylum for Insane Prisoners. Provisions applicable.

15. On the report of the medical superintendent or of an assistant, certifying that an insane person confined in the Asylum for Insane Prisoners has recovered the use of his reason, the Lieutenant-Governor shall, on the recommendation of the Provincial Secretary, order that such prisoner be discharged, or that he be reconveyed to gaol to stand his trial or to undergo his sentence, as the case may be. Discharge, etc., in certain cases.

16. The costs incurred for the conveyance of an insane person from the gaol or other place of detention to the asylum, and from the asylum to the gaol or other place of confinement, shall form part of the costs of lodging, maintenance and treatment of the patient. Costs.

17. From and after the date fixed in the proclamation referred to in section 4 of this act, articles 4126 to 4130 of the Revised Statutes, 1909, inclusively, and the forms G and H, which follow article 4161 of the said Statutes, are repealed. Provisions repealed.

Notwithstanding the repeal of the said articles, the Provincial Government and the municipalities shall retain the recourse given them by the provisions repealed with respect to the expense of the maintenance, lodging and treatment of the insane prisoners transferred from a gaol to an insane asylum, from the date of their admission to an insane asylum up to that of their transfer to the Asylum for Insane Prisoners, and the said articles shall apply in such cases as if they had not been repealed. Recourse retained.

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

FORMS

A.—(Section 11)

MEDICAL CERTIFICATE

I, the undersigned,
of
habitually practising the medical profession, declare that
on the
at
in the county of
alone and separately from any medical practitioner, I vi-
sited and personally examined (*name of the prisoner in ques-
tion*).

I found that the said (*name of the prisoner in question*)
is insane and should be confined in the Asylum for Insane
Prisoners.

I have formed this opinion from the symptoms and facts
directly observed by me, and from information furnished,
which are summed up in the answers to the following ques-
tions, namely:

1. Is this the first attack of insanity? If not when did the
others occur and how long did they last?
2. When did the first symptoms of the disease manifest
themselves?
3. How did the first symptoms of the disease manifest
themselves?
4. On what subjects or in what way is insanity mani-
fested?
5. Is there any hallucination of (*a*) sight, (*b*) hearing, (*c*)
smell, (*d*) taste, (*e*) touch, (*f*) genital sense? Describe.
6. Has the patient any disposition to violence? Has he
committed any? Describe.
7. Has he any propensity to injure himself? Has he at-
tempted to kill himself, when and how? Does such prop-
ensity still manifest itself, and how?
8. What are his habits as to (*a*) eating, (*b*) sleeping, (*c*)
cleanliness?
9. Has he any vicious propensities, such as (*a*) tearing
his clothes, (*b*) breaking things, (*c*) setting fire, etc.?
Describe.
10. What members of his family, if any among his an-
cestors or collateral relatives, have had attacks of insanity

or nervous diseases, such as (a) epilepsy, (b) hysteria, (c) tic, (d) eccentricity, (e) neuralgia, (f) chorea, (g) alcoholism, (h) venereal diseases, etc., if yes, say which.

11. What are his habits as to the use of (a) intoxicating liquors, (b) tobacco, (c) narcotics?

12. Has he had any serious bodily diseases, such as (a) epilepsy, (b) eruptions, (c) ulcers, (d) suppressed discharges, (e) paralysis, etc.? Describe them in detail. Has he ever had any injury to the head? Describe.

13. What is the present physical condition of the patient?

14. If there is any disease or bodily infirmity, please mention it.

15. What is supposed to be the cause of this attack of disease?

16. What is the patient's age to the best of your knowledge?

The symptoms and facts directly observed by me are the following:

The information I obtained was given me by the following persons:

Other remarks:

(Physician's signature)

(Post office address)

Sworn before me,
at
this

day of 192

(Signature)

Mayor, justice of the peace, notary, recorder, or commissioner of the Superior Court.

B.—(Section 11)

Name of patient

Civil status

Age

Occupation

Religion

Domicile

Where born

He afterwards resided at the following places

At
 from to
 At
 from to
 At
 from to

I give below the names, addresses and occupations of all the ancestors of the patient who are known to me:

Father

Mother

Father's side:

Grandfather

Grandmother

Mother's side:

Grandfather

Grandmother

The physician must also answer the following questions:

- I. If the patient was born in a foreign country:
 - (a) Date of arrival in Canada
 - (b) Coming from
 - (c) Port of arrival
 - (d) By the steamer
 - (e) By the railroad company
 - (f) In the company of
 - (g) The patient is a _____ subject, having or not having been naturalized.
 - (h) The patient was naturalized at _____ on or about the _____

- II. If the patient is married or widowed:
 - (a) The name of the husband or wife
 - (b) Children
 - (c) Grandchildren
 - (d) Father-in-law
 - (e) Mother-in-law
 - (f) Sons-in-law
 - (g) Daughters-in-law

- III. If the patient is an ex-soldier:
 - (a) Number of years in service _____ :
date of enlisting _____
 - (b) Number of regiment _____ :
matriculation number _____
 - (c) Date of his discharge _____

- IV. If the patient is insured:
 Names of companies Nos. of policies
 Amounts
- V. If the patient owns property:
 (a) Description and location of immoveables
 (b) Description and location of moveables
 (c) List of rights or claims the patient may have

(Physician's signature)

(Post office address)

Sworn before me,
 at
 this

day of

192

(Signature)

Mayor, justice of the peace, notary, recorder, or commissioner of the Superior Court.

C H A P. 53

An Act to amend the Revised Statutes, 1909, respecting the protection of public buildings against fire

[Assented to, the 3rd of April, 1925]

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

1. Article 3789*b* of the Revised Statutes, 1909, as enacted by the act 11 George V, chapter 75, section 2, is amended ^{am.} by replacing the words: "every new installation, either for light, heat or motive power, as well as every heating system", in the first, second and third lines thereof, by the words: "all the plans for every new installation for light, heat or motive power as well as for every heating system".

2. Article 3789*d* of the said Statutes, as enacted by the R. S., 3789*d*, act 11 George V, chapter 75, section 2, is amended by re-^{am.}placing the words: "of public buildings", in the fourth line thereof, by the words: "of heating systems".

3. Article 3789*n* of the said Statutes, as enacted by the R. S., 3789*n*, act 11 George V, chapter 75, section 2, is amended by re-^{am.}placing the first paragraph thereof by the following paragraph:

"3789*n*. Certificates shall be issued for the year, and Issue and