

C H A P . 14

An Act to ratify the contract between the Provincial Government and *Les Sœurs de la Charité de Québec* respecting the care, custody and maintenance of the insane, and the contract between *Les Sœurs de la Charité de Québec* and Laval University, respecting the medical service of *l'Hôpital Saint-Michel-Archange*

[Assented to, the 15th of March, 1924]

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

Certain
contracts of
*Les Sœurs de
la Charité de
Québec* rati-
fied.

1. The contract respecting the care, custody and maintenance of the insane in *l'Hôpital Saint-Michel-Archange*, passed on the twenty-ninth day of November, nineteen hundred and twenty-three, before Joseph Sirois, notary, between the Government of the Province of Quebec and *Les Sœurs de la Charité de Québec*, and the contract respecting the medical service of *l'Hôpital Saint-Michel-Archange*, passed on the twelfth day of May, nineteen hundred and twenty-three, before Joseph Sirois, notary, between *Les Sœurs de la Charité de Québec* and Laval University, hereinafter reproduced as schedules A and B, are approved and ratified.

Coming into
force.

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

SCHEDULE A

On the first day of December, in the year one thousand nine hundred and twenty-three.

Before JOSEPH SIROIS, Notary Public for the Province of Quebec, residing and practising at Quebec,

CAME AND APPEARED:

HIS MAJESTY THE KING, herein represented by the Honourable ATHANASE DAVID, of the city of Montreal, Advocate, King's Counsel, Secretary and Registrar of the Province of Quebec, to the effect of these presents authorized by an order of the Lieutenant-Governor of

the Province of Quebec, in Council, No. 2192, dated the twenty-eighth day of November last, approved on the twenty-ninth day of November by His Honour the Lieutenant-Governor, a copy whereof is annexed to the original minute of these presents;

AND

LES SOEURS DE LA CHARITE DE QUEBEC, a body politic and corporate, having its chief place of business in the city of Quebec, herein represented by Dame Clara Dechène, of the city of Quebec, in religion Sister Ste-Christine, Superior General of *Les Sœurs de la Charité* specially authorized for the purposes of the present deed by a resolution of the Council of *Les Sœurs de la Charité*, dated the twenty-eighth of November last, a copy of which authorization has been annexed to the original minute of the present deed, after having been acknowledged by Sister Ste-Christine and signed this day by her and by the undersigned notary,

Who have entered into the following contract:

I

TITLE OF THIS CONTRACT.

This deed may be cited under the name of "Contract respecting the care, custody and maintenance of the insane in *l'Hôpital Saint-Michel-Archange*".

II

DEFINITIONS.

In this contract unless the text requires another interpretation:

- (a) The expression "Government" means "His Majesty", one of the parties to this contract;
- (b) The expression "The Sisters" means "*Les Sœurs de la Charité de Québec*", the other party to this contract;
- (c) The expression "Patients" means the idiots and insane persons of both sexes confided to the Sisters;
- (d) The expression "Asylum" or "Hospital", applies to the asylum of *Saint-Michel-Archange* (commonly known as the Beauport Asylum);
- (e) The expression "Guardians" comprises also female guardians both religious and lay;

- (f) The expression "Physicians" means the physicians appointed (except the Superintendent) by Laval University, and accepted by the Sisters;
- (g) The expression "Superintendent" means the Superintendent appointed by the Lieutenant-Governor in Council;
- (h) The expressions "Medical Director of Insane Asylums", "Inspectors" and "Visitors" mean the Medical Director of Insane Asylums, Inspectors of Asylums, Prisons, &c., appointed by the Government of the Province.

III

CARE AND MAINTENANCE OF THE PATIENTS

The Sisters oblige themselves towards the Government, for the term of ten years, to commence from the 1st of January next (1924), to receive and lodge in their asylum, and clothe, all the patients who shall be confided to them by the Government, and to provide them with good and sufficient food, to obtain for them the services of competent physicians, to improve their laboratory and other appliances, in accordance with modern practice, so as to assist in their cure, and in the development of the science of mental disease, the whole upon the conditions hereafter set forth.

IV

FOOD, ETC.

The food and clothing given, as well as the beds and bedding supplied to the patients by the Sisters, shall not, in any case, be of inferior quality to, nor be given in quantities less than, those supplied by the Sisters up to the present.

V

TREATMENT TO BE GIVEN.

The Sisters undertake to give to the patients, who shall be confided to them, the same care and to procure them at least the same comforts, the same amusements and recreation, the same solicitude, in a word, to treat them in every respect, at least as well as they have done during the contract with the Government, which contract expired on the thirty-first of December last (1922).

The Sisters further undertake to improve the manner of keeping their asylum generally, as science and experience

discover improvements to be made in the treatment of the insane, subject nevertheless to that which is set forth in the following section.

VI

CERTAIN EXPENDITURE TO BE REIMBURSED.

If, owing to orders from the medical superintendent, or regulations under the laws of this Province governing the insane and insane asylums, any expenses be imposed upon the Sisters greater than those which shall result from what is specially mentioned in sections three (III), four (IV), five (V), seven (VII), and eight (VIII), of the present contract, such additional expenses, after having been approved by His Honour the Lieutenant-Governor in Council, shall be paid by the Government, over and above the contract price.

VII

CLOTHING AND WORK OF THE PATIENTS.

The clothing of the patients shall correspond to the different seasons, so as to enable them to go out every day as much as possible.

The work of the patients shall generally be of such a nature as to assist in effecting their cure, the Sisters to have the benefit of their work. Treatment by means of work or physical exercise shall be under the immediate direction of the Superintendent.

VIII

GUARDIANS.

The guardians shall be sufficiently numerous, so that there shall not be on an average more than twelve patients confided to the care of each. Such guardians must know how to read, write and cipher, and be not less than twenty-one nor more than sixty-five years of age, and shall obey the orders of the Superintendent. This latter provision shall not apply to guardians who are now employed and who are deemed, by the Superintendent, to be competent.

IX

VISITS OF PHYSICIANS, INSPECTORS, ETC.

The Sisters shall give every possible facility to the Medical Director of Insane Asylums, the Superintendent,

and to the Visitors and Inspectors of Asylums, and shall afford them every assistance, so as to facilitate their labors and the performance of their duties.

X

PRICE FOR MAINTENANCE OF EACH PATIENT.

The Government undertakes to pay to the Sisters, at the office of the Treasurer of the Province of Quebec, a sum of two hundred dollars per annum for each patient they shall hereafter keep for the Government, and for the whole time only of such patient's confinement.

Such payments shall be effected by quarterly instalments, the first whereof shall be made on the first of April, 1924, and the others every three months, without interruption, until the expiration of the present contract.

The annual sum, however, payable by the Government, shall never be less than that payable for the minimum number of patients fixed by the following section.

XI

MINIMUM NUMBER OF PATIENTS

The Government undertakes to place and keep at all times, for the duration of this contract, under the care of the Sisters at least fifteen hundred patients.

XII

SERVICES OF CHAPLAINS

The Sisters shall pay for the services of the resident chaplains.

XIII

TRANSPORT OF PATIENTS.

The patients so confided to the care and keeping of the Sisters 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.

XIV

ESCAPE OF PATIENTS.

If, after his arrival at the asylum, any patient should

escape or get away from the asylum, the Sisters shall be bound, at their own expense, to take all necessary steps to find him and bring him back to the asylum.

XV

NOTICE IN CASE OF ESCAPE

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

XVI

NOTICE IN CASE OF DEATH

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

XVII

INFORMATION TO BE GIVEN

The Sisters shall insofar as possible, but without any legal obligation thereto and without incurring any responsibility in respect thereof, facilitate the task of the Superintendent, designated by law as curator to insane persons not specially provided with a curator, by giving him all the information in their possession. The same shall apply whenever the Superintendent has to settle cases of deportation or repatriation.

XVIII

BURIAL EXPENSES.

At each quarterly payment, the Government shall pay to the Sisters an additional sum of three dollars and fifty cents for burial and other funeral expenses of each patient deceased at the asylum during the quarter.

XIX

ADDITIONAL PAYMENTS

Over and above the sum of two hundred dollars men-

tioned in section X of this contract, the Government undertakes to pay to the Sisters an annual amount of thirty-five thousand dollars (\$35,000.00), such amount being for the purpose of assisting the Sisters to pay the fees of the physicians (except the Superintendent), of the Secretary, and costs of the pharmacy and office expenses, etc.

XX

CONTRACT WITH LAVAL UNIVERSITY

The Government hereby signifies its approval of the contract, between *Les Sœurs de la Charité de Québec* and Laval University, by deed passed before Joseph Sirois, N.P., dated the 12th of May, 1923, under the number 7284 of his minutes.

XXI

ASSIGNMENT OF CONTRACT FORBIDDEN.

The Sisters shall not have the right to assign the present contract without an order of the Lieutenant-Governor in Council accepting the said transfer.

XXII

GENERAL PROVISIONS.

As regards everything not specially mentioned and determined in the present contract, the parties refer to the law of the Province of Quebec governing the insane and asylums for the insane, and specially as regards the medical treatment and the powers and attributions of the Medical Directors of Insane Asylums, Medical Superintendent and the other physicians.

Such powers and attributions are, however, limited by the right possessed by the proprietors of managing their establishment insofar as regards order, discipline and economy, of directing their employees, and of controlling all the expenditure, provided that the exercise of such rights in no manner interferes with the medical, mental, moral and physical treatment of the patients, as defined in article 4093 of the Revised Statutes, 1909.

XXIII

RATIFICATION

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

PASSED AT QUEBEC, as to *Les Sœurs de la Charité de Québec*, and at Montreal as to the Honourable Mr. David and the notary, under the number seven thousand five hundred and forty-seven of the minutes of the undersigned notary.

IN WITNESS WHEREOF, Mother Ste-Christine and the Honourable Athanase David have signed with the notary and in his presence, Mother Ste-Christine on the 29th of November, 1923, and the Honourable Mr. David and the undersigned notary on the day, month and year first above written.

(Signed) S. C. DESCHÈNES called STE-CHRISTINE, *Sup. Gen.*
" ATHANASE DAVID,
" JOS. SIROIS, N.P.

True copy of the original minute remaining in my office.

JOS. SIROIS, N.P.

COPY of the report of a committee of the Honourable Executive Council, dated the 28th of November, 1923, approved by the Lieutenant-Governor on the 29th of November, 1923.

CONCERNING A CONTRACT BETWEEN the Government and *Les Sœurs de la Charité de Québec*.

The Honourable the Provincial Secretary, in a memorandum, dated the 28th of November, 1923, recommends that he be authorized to sign, for and on behalf of the Government of the Province of Quebec, a contract between the Government of the Province of Quebec and *Les Sœurs de la Charité de Québec*, for the maintenance of the insane at the asylum of *Saint-Michel-Archange*, at Beauport, a draft whereof is annexed to the aforesaid memorandum, which contract is to be ratified by the Legislature.

Certified

(Signed) A. MORISSET,
Clerk, Executive Council.

This copy of the order-in-council has been annexed to the minute No. 7547 of the repertory of Joseph Sirois, N.P., after having been signed for identification by the Honour-

SCHEDULE B

In the year one thousand nine hundred and twenty-three on the twelfth of May, before JOSEPH SIROIS, notary public for the Province of Quebec, residing and practising at Quebec,

CAME AND APPEARED

LES SŒURS DE LA CHARITÉ DE QUEBEC, a corporation having its principal place of business in the city of Quebec, herein represented by Dame Clara Deschênes, called Sainte-Christine, Superior General, authorized for the purposes of these presents under a resolution of the council of *Les Sœurs de la Charité de Québec*, of date the eleventh of May instant, and a certified copy whereof shall be annexed to the original of these presents after having been acknowledged true by Sister Sainte-Christine, and signed by her and the undersigned notary, on this day; hereinafter called: "The Sisters";

AND LAVAL UNIVERSITY, a corporation having its principal place of business in the city of Quebec, herein represented by Mgr. Charles Napoléon Gariépy, of the city of Quebec, prothonotary apostolic and rector, authorized for the purposes of these presents under a resolution of the council of Laval University, of date the eleventh of May instant, a certified copy whereof has been annexed to the original of these presents, after having been acknowledged true by Mgr. C. N. Gariépy and signed by him and the undersigned notary, on this day;

Who first make the following statement:

I. The Sisters are proprietors of a hospital for the insane known under the name of *Hôpital Saint-Michel-Archange*;

II. They have requested Laval University to take charge of the medical service of such hospital, under the conditions hereinafter mentioned, agreed upon by both parties;

III. Laval University, pleased to give its students the benefit of a field of study such as is found in a hospital like *Saint-Michel-Archange*, has accepted the above proposal;

This being stated, the parties agree as to the following:

1. The University shall take charge of the medical service of *l'Hôpital Saint-Michel-Archange*, under the Superintendent's authority, exercised in conformity with articles 4088 and following of the Revised Statutes, 1909;

2. The Superintendent shall be appointed by the Lieutenant-Governor in Council, but shall be chosen from among the physicians proposed by Laval University and accepted by the Sisters;

3. Laval University shall supply *l'Hôpital Saint-Michel-Archange* with two service heads and two assistants, all qualified to discharge their respective duties;

4. Laval University shall also supply a surgeon, a pathologist, a dentist and an oto-rhino-laryngologist, in order to meet the requirements of these various services;

5. It is understood that none of the physicians mentioned in the above clauses three and four will be appointed without having previously been accepted by the Sisters;

6. It is also understood that if any of such physicians does not give satisfactory service, representation thereof will be made to the authorities of the University which alone has a right to dismiss them;

7. The salaries of all such physicians, save that of the Superintendent, shall be paid by the Sisters;

8. Laval University shall utilize the clinics of *l'Hôpital Saint-Michel-Archange* for the instruction of its students;

9. These presents shall remain in force for a period of ten years, from the first of January last (1923).

PASSED at Quebec, under number seven thousand two hundred and eighty-four of the minutes of the undersigned notary.

IN WITNESS WHEREOF the parties have signed, with the notary and in his presence, these presents duly read.

(Signed) SR. CLARA DESCHÈNES, *called Ste-Christine,*
Sup. Gen.

“ C. N. GARIÉPY, *priest, P. A., Rector of Laval*
University.

“ JOS. SIROIS, N.P.

True copy of the minutes remaining in my office.

JOS. SIROIS, N.P.
