

property or rights were acquired by the Montreal Maternity, subject to the discharge of all its liabilities.

2. The Royal Victoria Hospital is hereby authorized and empowered to accept the said assignments and transfers to all intents and purposes and to take, hold, possess, use and dispose of all immoveable property and all the moveables and rights of whatever nature so assigned and transferred.

Power to accept transfer, authorized.

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

Coming into force.

C H A P. 117

An Act to amend the act to consolidate the charter of the Notre-Dame Hospital, Montreal, and its amendments

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

WHEREAS the Notre-Dame Hospital, a benevolent corporation of the city of Montreal, was incorporated by the act 44-45 Victoria, chapter 48, and the amendments thereto: the acts 61 Victoria, chapter 82; 2 Edward VII, chapter 97, and 7 Edward VII, chapter 121, has, by its petition, prayed that certain amendments be made to its charter so as to amend its constitution and more clearly define its powers, as well as to grant it certain additional powers; and

Preamble.

Whereas it is expedient to grant the prayer 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. Section 1 of the act 61 Victoria, chapter 82, is replaced by the following section:

61 Viet., c. 82, s. 1, replaced.

1. The incorporation of the Notre-Dame Hospital, 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,

Rights, etc., of corporation confirmed.

Powers.

devised or bequeathed in any manner whatsoever for, to or in favour of the corporation, for the purposes for which the said corporation is created, and upon such terms and conditions as are not inconsistent with the purposes hereof, 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.

Immove-
ables ac-
quired by
the corpora-
tion.

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.

Sale, etc. 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."

61 Vict., c.
82, s. 4,
replaced.
Classes of
members.

2. Section 4 of the said act is replaced by the following:

"**4.** The corporation of the Notre-Dame Hospital shall consist of two classes of members:

1. The present life governors, insofar as they shall be qualified as such, and those who shall hereafter become life governors;

2. The members of the medical board and of the medical council during such time as they shall be in office."

61 Vict., c.
82, s. 5,
replaced.
Administra-
tion of the
corporation.

3. Section 5 of the said act is replaced by the following:

"**5.** The administration and government of the corporation are vested in the life governors only, represented and acting through a board of management, excepting the powers and functions hereby attributed to the medical board, and to the medical council."

61 Vict., c.
82, s. 7,
replaced.

4. Section 7 of the said act, as replaced by the act 7 Edward VII chapter 121, section 5, is again replaced by the following:

Board of

"**7.** Except insofar as is hereinafter provided regarding

the medical board and medical council, the affairs of the management, the corporation are managed, and the corporation is governed, by a board of management consisting of fourteen members selected as follows: His Lordship the Archbishop of Montreal, or his representative appointed every year by him; the Superior of the Seminary of St. Sulpice, or his representative appointed every year by him; nine life governors, elected every year at the annual meeting of the corporation, and three members of the medical board, elected annually by the said board from among those who are entitled, in accordance with section 15 hereinafter, to elect annually the members of the medical council.

The mayor of the city of Montreal shall be *ex officio* a Mayor of member of the said board." Montreal.

5. Section 8 of the said act is replaced by the following: 61 Vict., c. 82, s. 8,

8. The board of management may adopt by-laws, not replaced. Board of management may adopt by-laws. contrary to law nor inconsistent with the provisions of this act, for the management, control and government of the corporation, and for the purpose of assuring the existence of the hospital and of its branches or annexes, and, in particular, for fixing the date and the mode of proceeding 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."

6. Section 10 of the said act is replaced by the following: 61 Vict., c. 82, s. 10,

10. The members of the medical board and of the replaced. Members admitted to take part in proceedings, etc. medical council, 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 and to vote thereat."

7. Section 11 of the said act is replaced by the following: 61 Vict., c. 82, s. 11,

11. The annual meeting of the corporation must be replaced. Annual meeting. held during the first four months of each year 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."

61 Vict., c.
82, s. 12,
replaced.
Election of
officers.

8. Section 12 of the said act is replaced by the following:

“**12.** 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 legal adviser, and such officers as it may deem expedient.”

61 Vict., c.
82, s. 13,
replaced.
Vacancies
on board of
manage-
ment.

9. Section 13 of the said act is replaced by the following:

“**13.** Every vacancy on the board of management which arises in the course of the year through death, resignation or otherwise, is filled up for the remainder of the year: by the board of management, for the nine members of the board elected at the annual general meeting; and respectively, for their representatives, by His Lordship the Archbishop of Montreal, by the Superior of the Seminary of St. Sulpice, and by the medical board.

Negligence
in filling
such vacan-
cy; effect.

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.”

61 Vict., c.
82, s. 14,
am.

10. The first paragraph of section 14 of the said act, as amended by the act 2 Edward VII, chapter 97, section 1, is replaced by the following:

Appoint-
ment of
officers, etc.
by board of
manage-
ment.

“**14.** The board of management appoints the officers, employees and servants 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.”

61 Vict., c.
82, s. 15,
replaced.

11. Section 15 of the said act is replaced by the following:

Control of
medical
council.

“**15.** The medical council alone has the control of the medical and surgical administration of the hospital, and alone has the right, in accordance with the provisions of the present act in that respect, 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 and its annexes.

Power to
make regu-
lations.

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.

Within the eight days following the annual general meeting, the heads of departments of the hospital and the titular professors of the Medical Faculty of Montreal University, who shall then be physicians actively connected with the hospital, shall elect the members of the medical council for the current year. Such medical council shall consist of seven members chosen from among the heads of departments of the hospital and the titular professors hereinabove mentioned, but five of such members must moreover belong to the Medical Faculty of Montreal University, or, failing such, among those officially recognized as professors of the said Faculty. Such appointments shall be subject to the approval of the board of management.

Election of members of the council.

The medical board consists of the consulting physicians, and of the physicians, surgeons and specialists attached to the various departments of the institution as head of department, titular or assistant.

Composition of the board.

Every vacancy in the medical council must be filled without delay according to the regular method by which he is elected, and the medical council must likewise on its part recommend without delay to the board of management the names of the physicians, surgeons or specialists it deems suitable to fill any vacancies occurring in any of the departments of the hospital."

How vacancy is filled.

12. Section 16 of the said act is replaced by the following:

61 Vict., c. 82, s. 16, replaced.

"**16.** The members of the medical board remain in office so long as they retain their qualifications which render them suitable for the fulfilment of their duties.

Duration of office of members of the board.

Absence of any member for one year, without permission of the medical board, from the meetings of such board *ipso facto* entails his dismissal.

Absence; effect.

Every vacancy in the medical council is filled without delay by the medical board.

Vacancy in council.

The medical council shall also submit without delay to the board of management the names of the physicians whom it deems qualified to fill any vacancy that has occurred in any service or department of the hospital."

Id., in services.

13. Section 18 of the said act is replaced by the following:

61 Vict., c. 82, s. 18, replaced.

"**18.** In the event of the medical council neglecting to fill, in accordance with the provisions of this act, any vacancy that may have arisen on the medical council, within

Vacancies, how filled in certain cases.

three months after the date when notice of such vacancy has been given it by the board of management, such board of management may, without any recommendation, appoint to fill such vacancy a member from among those qualified to belong to the medical council, in accordance with section 15 above."

61 Vict., c.
82, s. 19,
replaced.
Monthly
meeting
of board.

14. Section 19 of the said act is replaced by the following:

"**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, and to make to the medical council 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."

61 Vict., c.
82, s. 20,
replaced.

15. Section 20 of the said act is replaced by the following:

Proceedings.

"**20.** The medical board shall keep minutes of its proceedings.

Powers of
medical
board.

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 and the manner of their election.

Post-mortem
examina-
tion, in cer-
tain cases.

In the case of non-paying patients who die in the hospital, the attending physician or chief house physician 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.

Interpreta-
tion.

Every patient shall be considered a non-paying patient within the meaning of this section, who does not pay for the medical care and the medicines, even if he pays for his maintenance in the hospital, as also every patient whose hospital treatment is paid for, on account of his poverty, by a municipal corporation."

Remaining
in office of
present
board.

16. The present board of management of the hospital shall remain in office until the election of a new board in accordance with the provisions of this act.

Coming into
force.

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