

C H A P . 56

An Act to amend the Revised Statutes, 1909, respecting
the Quebec Medical Act

[Assented to 9th February, 1918]

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

R. S., 4897,
replaced.

1. Article 4897 of the Revised Statutes, 1909, is replaced by the following:

Provincial
Medical
Board.

"4897. 1. The affairs of the College shall be conducted by a Board of Governors, hereinafter called "The Provincial Medical Board," which shall comprise, saving the provisions of paragraph 5 of article 4905, twenty-one members elected for four years, of whom eighteen shall be chosen by the members of the College, and one by each of the following institutions, namely:

How com-
posed.

The faculty of medicine of Laval University, at Quebec;
The Montreal School of Medicine and Surgery, faculty of medicine of Laval University, at Montreal;
The faculty of medicine of McGill University.

Dates of
general
elections of
Governors.

2. The general elections of the Governors chosen by the College shall, beginning with the month of September, 1918, take place every four years, on the first Wednesday of September, or if such day be a non-juridical day, then on the next following juridical day.

Division of
Province in-
to districts.

3. For the purposes of such elections, the Province is divided into eighteen districts, to wit:

a. District No. 1, which includes the counties of Gaspé, the Magdalen Islands, Bonaventure, Matane, Rimouski, Temiscouata, and Kamouraska;

b. District No. 2, which includes the counties of L'Islet, Montmagny, Bellechasse, Levis, Lotbinière and Dorchester;

c. District No. 3, which includes the counties of Beauce, Compton, Wolfe and Richmond;

d. District No. 4, which includes the counties of Frontenac, Megantic, Arthabaska, Drummond, St. Hyacinthe and Bagot;

e. District No. 5, which includes the counties of Richelieu, Yamaska, Nicolet, Vercheres, Rouville and Chambly;

f. District No. 6, which includes the counties of Shefford, Sherbrooke, Brome, Stanstead and Missisquoi;

g. District No. 7, which includes the counties of Iberville, St. Johns, Laprairie, Huntingdon, Beauharnois, Chateauguay, Soulanges, Vaudreuil and Napierville;

h. District No. 8, which includes that part of the city of Montreal bounded on the north by Rachel street, on the east by Harbour street, on the south by the river St. Lawrence, on the west by the east side of St. Denis street, as well as Hochelaga ward and the city of Maisonneuve as it existed before the 9th of February, 1918;

i. District No. 9, which includes that part of the city of Montreal bounded on the north by the south side of Duluth street; on the east by the west side of St. Denis street; on the south by the river St. Lawrence, and on the west by the east side of Durocher street;

j. District No. 10, which includes that part of the city of Montreal bounded on the north by Pine Avenue; on the east by the west side of Durocher Street; on the south by the river St. Lawrence, and on the west by the city limits;

k. District No. 11, which includes the municipalities of Pointe-aux-Trembles, St. Jean de Dieu, Riviere des Prairies, Sault-au-Recollet, the village of La Petite Cote de Saint Leonard de Port Maurice; the following wards of the city of Montreal: Laurier, St. Denis, Saint Jean Baptiste, Duvernay, de Lorimier, Rosemount, Bordeaux, Ahuntsic and Mercier; and the parish of Longue Pointe;

l. District No. 12, which includes the county of Jacques-Cartier,—less St. Anne's ward of the city of Montreal,—the cities of Westmount, Outremont and Verdun, the town of Montreal West, and the following wards of the city of Montreal: St. Gabriel, St. Henri, Mount Royal, Notre-Dame de Graces, Emard and St. Paul;

m. District No. 13, which includes the counties of Wright, Ottawa, Labelle, Pontiac, Argenteuil, Temiscaming and Two Mountains;

n. District No. 14, which includes the counties of Joliette, l'Assomption, Montcalm, Berthier, Terrebonne and Isle Jesus and the neighboring islands;

o. District No. 15, which includes the counties of Three Rivers, St. Maurice and Champlain,—less the town of La Tuque,—and Maskinongé;

p. District No. 16, which includes the electoral divisions of Quebec Centre and Quebec West, with, moreover, the parishes of Sillery and St. Foye;

q. District No. 17, which includes the electoral divisions of St. Sauveur, Quebec East and Quebec County,—less the

parishes of Sillery and Ste. Foye,— and the county of Montmorency;

r. District No. 18, which includes the counties of Chicoutimi, Saguenay, Lake St. John, Portneuf, the town of La Tuque in the county of Champlain, and the Island of Anticosti.”

Provisions
repealed.

2. Articles 4898 to 4901, inclusive, of the Revised Statutes, 1909, are repealed.

R. S., 4902,
am.

3. Article 4902 of the Revised Statutes, 1909, is amended by replacing paragraph 1 thereof by the following:

Boundaries
of above
counties, &c.

“**4902.** 1. The counties and electoral divisions mentioned in article 4897 are those which were in existence on the first of January, 1918, for the purposes of representation in the Legislative Assembly, with the boundaries then respectively assigned to them; and the wards of the city of Montreal mentioned in the said article are those which were in existence on the first of January, 1916, with the boundaries then respectively assigned to them.”

R. S., 4907,
am.

4. Article 4907 of the Revised Statutes, 1909, is amended by replacing paragraph 1 thereof by the following:

Meetings of
Board.

“**4907.** 1. The members of the Provincial Medical Board shall meet for the performance of their duties, once a year, at Quebec and Montreal alternately, at the date fixed by by-law.”

R. S., 4911,
am.

5. Article 4911 of the Revised Statutes, 1909, is amended by adding thereto, after paragraph 13 thereof, the following paragraph, to wit:

Acts derogatory
to
dignity of
profession.

“14. To define by by-law what shall be acts derogatory to the honor and dignity of the profession, every such by-law to come into force fifteen days after ratification by the Lieutenant-Governor in Council.”

R. S., 4912a
et seq., en-
acted.

6. The following articles are inserted in the Revised Statutes, 1909, after article 4912 thereof, to wit:

Pension
fund.

“**4912a.** 1. The Provincial Medical Board shall have power, whenever it deems expedient, to establish a pension and relief fund, the revenue from which shall be applied to the relief of needy physicians.

2. Such fund shall be constituted by paying into the same, each year, one half the surplus of ordinary receipts over disbursements, as determined by the auditors' report.

3. The distribution of the revenue from such fund shall

be in the hands of the executive committee of the Provincial Medical Board, which shall in each case make a summary inquiry.

4. Such fund shall be invested in accordance with the provisions of article 981o of the Civil Code.

"4912b. The Provincial Medical Board is authorized ^{Lectures.} to defray the expenses of lectures delivered to medical societies in the Province of Quebec by lecturing physicians chosen by the president or by the executive committee".

7. Article 4929 of the Revised Statutes, 1909, is amended ^{R. S., 4929,} by adding thereto, at the end thereof, the word : ^{replaced.}
"Biology".

8. Article 4938 of the Revised Statutes, 1909, is replaced ^{R. S., 4938,} by the following : ^{replaced.}

"4938. Without limiting the meaning of the words ^{What is} "practice of medicine", the giving of medical consultations, ^{"practice of} or giving or prescribing of medicines, attending at confine- ^{medicine."} ments, treating medical or surgical affections, and habitually and continuously following the treatment of diseases or medical or surgical affections, either by giving medicine or by making use of mechanical, physical or chemical processes or of radiotherapy or of X rays, shall constitute the practice of medicine."

9. Article 4941 of the Revised Statutes, 1909, is replaced ^{R. S., 4941,} by the following : ^{replaced.}

"4941. Every person who, having followed a regular ^{Granting of} and complete course in a university outside the Province, ^{licenses to} has obtained a degree of Doctor of Medicine, and who has ^{certain} moreover followed a medical course for five years, and ^{persons after} who furnishes to the satisfaction of the said Board proof ^{examina-} ^{tion.} that he has passed a preliminary examination equivalent to that required in the Province of Quebec, shall be entitled to a license on payment of the fees, and provided he passes the examination for candidates to the practice of medicine before the medical board of examiners."

10. Article 4946 of the Revised Statutes, 1909, is amend- ^{R. S., 4946,} ed by adding thereto, after paragraph 2 thereof, the follow- ^{am.} ing paragraph, to wit:

"3. Practising medicine under a name which is not that ^{No practice} of a physician legally authorized to practise medicine, ^{save under} surgery, and midwifery, is likewise prohibited." ^{name of} ^{licensed} ^{physician.}

R. S., 4956, replaced. **11.** Article 4956 of the Revised Statutes, 1909, is replaced by the following:

Hearing,
&c. of
charges
against
physicians.

"4956. It shall be the duty of the Council on Discipline to inquire into, to consider, hear and decide finally and to the exclusion of any court, subject to appeal to the Provincial Medical Board, every charge or complaint against any member of the College, for infraction of his professional duties or any act derogatory to the honor and dignity of the profession."

R. S., 4968, am. **12.** Article 4968 of the Revised Statutes, 1909, is amended by replacing paragraphs 4 and 7 thereof by the following:

Quorum.

"4. The quorum of the members of the Provincial Medical Board sitting in appeal shall be eight members.

Appeal to
Superior
Court.

"7. Nevertheless, if a member consider himself aggrieved by any decision of the Council on Discipline, or of the Provincial Medical Board, he may appeal to the Superior Court."

R. S., 4971, am.

13. Article 4971 of the Revised Statutes, 1909, is amended by replacing paragraphs 3 and 4 thereof by the following:

Penalty for
practice by
unregister-
ed person.

"3. Every person who, in an advertisement in a newspaper, or in a written or printed circular, or on a business card, or on any sign, assumes such a title, name or designation, as to lead people to suppose that he is duly registered or qualified to practise medicine, surgery or midwifery, or any person who either for himself or on account of a licensed physician, offers or gives his services as physician, surgeon or accoucheur, even gratuitously, or who offers or gives free consultations, if he be not duly authorized and registered in this Province under this section, shall, in each of such cases, be liable to a penalty of fifty dollars for the first offence, of one hundred dollars for the second offence, and of two hundred dollars for every subsequent offence.

Burden of
proof.

In every prosecution under this section proof of registration shall be upon the person prosecuted.

Recovery of
penalties.

"4. The penalties imposed by this section shall be recoverable with costs, by a suit in the name of the College, in its corporate name, and they shall belong to the College for its own use.

Before what
courts.

The penalties imposed by this section may be recovered by an ordinary civil action at law in the name of the College of Physicians and Surgeons of the Province of Quebec, before the Superior Court or Circuit Court, as the case may be, (according to the amount and number of the penalties

which may be imposed), of the county or district in which the offence was committed, and the proceedings so instituted shall be governed by the provisions of the Code of Civil Procedure respecting summary matters.

Such penalties may also be recovered by a prosecution before a justice of the peace on the complaint of the registrar, in accordance with the provisions of part XV of the Criminal Code."

14. The Provincial Medical Board is authorized to subscribe and pay the sum of one thousand dollars to the Canadian Patriotic Fund.

Subscription to patriotic fund.

CHAP. 57

An Act to amend the Revised Statutes, 1909, respecting civil engineers

[Assented to 9th February, 1918]

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

1. Article 5125 of the Revised Statutes, 1909, is re-placed:

R. S., 5125, placed.

"5125. Any person not being the holder of a civil engineer's diploma or certificate obtained under the laws of the Province of Quebec, who:

Penalty for practising, &c., as civil engineer without right.

- a. practises the profession of civil engineer; or
- b. usurps the functions of the profession; or
- c. assumes verbally or otherwise the title of civil engineer, or makes use of any abbreviation of such title, or of any name, title or designation which might lead to the belief that he is a civil engineer or a member of the corporation of civil engineers; or

d. advertises himself as such in any way or by any means; or

e. acts in such manner as to lead to the belief that he is authorized to fulfil the office of or to act as a civil engineer, —shall be liable, on summary conviction, to a fine of not less than one hundred dollars nor more than two hundred dollars, and, on failure to pay the same, to imprisonment for not more than three months, for the first offence, and