

C H A P . 1 1 6

An Act to incorporate the Alexandra Hospital

[Assented to 25th April, 1903]

WHEREAS James Crathern, Richard B. Angus and Charles F. Smith have, by their petition, represented that it is in the public interest that a hospital for the reception and treatment of persons of all races and creeds without distinction should be established in or near the city of Montreal; and that the city of Montreal has, by resolution of the city council of date the 30th day of December, 1902, undertaken to pay to the English hospitals in the said city the sum of fifteen thousand dollars a year for twenty-five years for the care and treatment of patients not exceeding twenty each day, and one dollar per day for each patient over that number, the hospitals to furnish ambulance service, and the necessary disinfecting to be done by the city, the whole upon the understanding that the said hospitals shall take steps forthwith to obtain from the Legislature of the Province of Quebec an act incorporating the Alexandra Hospital, to the end that a contract in the sense of the said resolution be entered into between the said city and the said Alexandra Hospital, or the said petitioners or one or more of them in trust for the said Alexandra Hospital to be incorporated, and all the moneys payable by the said city of Montreal be paid to the said Alexandra Hospital, and whereas the said petitioners have prayed that they be incorporated for the purposes of this act; and it is expedient to grant their prayer.

Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. James Crathern, Richard B. Angus, Charles F. Smith, together with such other persons as hereafter may be associated with them, are hereby incorporated and created a body politic and corporate under the name of the "Alexandra Hospital".

Persons incorporated.

2. The objects for which such corporation is created are the reception and treatment of persons of all races and creeds without distinction, and, for such purposes, to erect and maintain a hospital or hospitals in or near the city of Montreal, but in the latter case with the consent of the municipalities interested.

Objects of corporation.

Corporate powers.

3. The said corporation shall have perpetual succession, and may have a common seal, and shall have power to take, hold, possess, and acquire, by purchase, donation, devise, bequest or otherwise, all such moveable and immoveable property as may be required for its use or the purpose of providing revenue, and the same to sell, mortgage, pledge, hypothecate or alienate in any manner whatever, and to borrow money, and to issue, from time to time, bonds and debentures secured by deed of hypothec or mortgage upon the immoveable property of the corporation by way of a deed of trust in favor of trustees for the bondholders or otherwise, and the same to call in and replace, and to issue new bonds and debentures, provided that the outstanding amount of such bonds and debentures shall at no time exceed the sum of one hundred and fifty thousand dollars, provided, however, that the annual value of the said real estate owned by the said corporation and held for revenue purposes only at any one time shall not exceed the sum of twenty-five thousand dollars.

Governors, their appointment and election.

4. There shall be fifteen governors of the corporation, three of whom, namely the president of the society of the Montreal General Hospital, the president of the Royal Victoria Hospital, and the president of the Western Hospital of Montreal, shall hold office by reason of their official position; three shall be elected annually by the board of governors of the Royal Victoria Hospital; three by the board of governors of the society of the Montreal General Hospital; two by the board of governors of the Western Hospital of Montreal, and four by the associates hereinafter referred to. Provided always that the failure of the said corporate bodies or persons above named, or any of them, to appoint or elect such representatives, shall in no way affect the power and authority of the said board of governors; and the acting members of the board shall, notwithstanding such failure to elect, have all the power and authority hereby conferred on the full board.

Provision in case of failure to appoint or elect.

Powers of remaining members of board.

Powers and duties of governors.

5. The governors of the said hospital and their successors in office shall, subject to the provisions of this act, have full and ultimate control and management of all its property, moveable and immoveable, of every kind and description, and may, from time to time, make, repeal, and amend by-laws, rules and regulations for the management and good government of the said hospital, and all its property of every kind and description; provide for and regulate the forms and proceedings incidental to the election of the governors thereof, and the time and procedure of the meetings of the governors and associates, the internal

and external management of the hospital and its branches, including all matters and things incidental thereto, and necessary and expedient for the management and use thereof, as well in respect of the officials and surgical and medical attendants thereof, as of the patients admitted therein, the terms and conditions of the reception, treatment and dismissal of patients, the conduct and management of any dispensary therein or connected therewith, and of the medical, surgical, chemical or other scientific lectures, classes and other educational methods connected therewith, or under the control of the corporation thereof, the appointment of all officials, internal and external, and the regulation of their powers, duties and obligations to the corporation, the attendance upon the said hospital and the patients thereof by the members of medical or other scientific or educational bodies or faculties, the attendance and discipline of sick and hospital nurses and their effective education and training as such for professional and other purposes, and finally to provide for and regulate all matters and things falling within the powers of the said corporation, except as to matters and things for which provision is made in this act.

6. Five governors shall form a quorum.

Quorum.

7. Any person who subscribes and pays to the general funds of the said corporation a sum of not less than one thousand dollars shall be an associate of the said hospital.

Payment of certain sum entitles person to become associate.

8. Any person who contributes the sum of one hundred dollars and the yearly sum of ten dollars to the general funds of the said corporation, shall also be an associate of the said corporation, but such associate may be declared by a vote of the governors to have ceased to be such associate if at any time he be two years in arrears for such annual contribution.

Payment of certain sum, together with further amount annually also entitles person to become associate.

9. Every person who establishes or endows, to the satisfaction of the governors, any department, ward, bed or beds or other sectional division of the hospital with an amount which is, in the opinion of the governors, equivalent to the qualification hereinbefore established for an associate, shall be declared by the governors to be an associate; and, in the event of any devise or bequest by will of any contribution or endowment at least equivalent, in the opinion of the governors, to the qualification for an associate hereby established, the testator shall have the right to name a person to become such an associate of the corporation by virtue of such contribution or endowment.

Establishment of ward, &c., entitles person to become associate.

Person to be associate named by will under which hospital receives contribution, &c.

When office of governor becomes vacant.

Appointment to fill such vacancy.

10. The office of governor shall become vacant by the death, insanity, or other mental incapacity of the holder thereof, his insolvency, bankruptcy or conviction of any offence against the criminal law, or by the removal of his domicile from the Province of Quebec; and, in the case of such death, resignation, or disqualification of any governor, it shall be in the discretion of the board of governors to name from the associates of the corporation a governor to serve in his stead for the unexpired remainder of the term for which he was elected.

Power to make contracts for reception, &c., of patients.

11. The corporation shall have power to enter into and to make such contract or contracts for the reception and treatment of sick persons or otherwise in furtherance of the objects of the corporation with the city of Montreal or any other corporation or person or persons whatsoever as it may deem best.

Aid may be granted to hospital by municipal corporations and contracts made there-with for certain purposes.

Towns, cities, villages and other municipal corporations may, by resolutions of their councils, grant aid to and enter into contract with and make payments to the said hospital for specified periods of time, on such terms and conditions as may be determined, for the care and treatment of the inhabitants of their respective municipalities suffering from infectious or contagious diseases.

Power of amalgamation.

The corporation shall further have the power to make arrangements with any other hospital or corporation for the acquisition thereof or the amalgamation thereof under the name of the corporation hereby created, provided that such terms and conditions shall not change or modify in any respect the constitution of the governing body of the corporation hereby created, and, upon the completion of such amalgamation, the amalgamated hospitals shall be governed by the provisions of this act.

Contract of 17th March, 1903, between city of Montreal and certain trustees for hospital, ratified.

12. The contract entered into between the city of Montreal and James Crathern, Richard B. Angus and Charles F. Smith, as representing the Alexandra Hospital, passed before R. A. Dunton, N. P., on the 17th day of March, 1903, copy whereof is annexed to this act as schedule A, and all the conditions and stipulations therein contained, are ratified and confirmed and declared to be and shall be a valid and binding contract between the Alexandra Hospital when incorporated and the city of Montreal; and the said city and the said hospital are authorized to fulfil and carry out the said contract according to its terms, tenor and effect.

City and hospital authorized to carry out contract.

Hospital to be placed in certain locality.

13. Notwithstanding any law or agreement to the contrary, the Alexandra Hospital shall be situated to the

west of Bleury street and Park Avenue as far as Pine Avenue, and from that avenue to the west of a line running from the head of Durocher street towards the north as far as the south west corner of the limits of the town of St. Louis, and this hospital shall not be established within the limits of Mount Royal Park nor to the north-west of the said park.

14. This act shall come into force on the day of its sanc- Coming into
tion. force.

SCHEDULE A

On this seventeenth day of March, one thousand, nine hundred and three, before ROBERT A. DUNTON, the undersigned Notary Public for the Province of Quebec, residing and practising in the city of Montreal,

APPEARED,

THE CITY OF MONTREAL, a body politic and corporate, having its office or usual place of business at the city hall, in the East ward of the said city of Montreal, herein represented and acting by His Worship the Mayor of the said city, JAMES COCHRANE, Esquire, residing in the said city of Montreal,

Parties of the first part ;

AND

JAMES CRATHERN, RICHARD B. ANGUS and CHARLES F. SMITH, all of the said city of Montreal, herein acting for and on behalf of the Alexandra Hospital, about to be incorporated as hereinafter set forth ; the said James Crathern herein acting and represented by said Richard B. Angus, his duly constituted attorney under power of attorney, executed at Hampton, in the State of Virginia, one of the United States of America, the tenth day of March instant (1903), and hereto annexed, identified by the signature of said Richard B. Angus and the undersigned notary,

Parties of the second part ;

WHICH SAID PARTIES declared to me the said notary as follows :

Whereas it is in the interest of the citizens of the city of Montreal that provision should be made for the reception, care and treatment of persons in and of the city of Montreal, of all races and creeds without distinction, suf-

fering from diphtheria, scarlet fever and measles and such other diseases of an infectious or contagious character as may be hereafter mutually agreed upon between the said parties ;

Whereas the parties of the second part are presently applying to the Legislature of the Province of Quebec for an act to incorporate them, and such other persons as may hereafter be associated with them, a body politic and corporate under the name of the Alexandra Hospital ; the site of the said Hospital to be to the west of St. Lawrence Main street ;

Whereas the said parties of the first part have agreed with the parties of the second part that, upon the incorporation and operation of the said Alexandra Hospital, it will pay to the said Alexandra Hospital the sum of fifteen thousand dollars each and every year for twenty-five years from and after the first day of January, nineteen hundred and four, for the care and treatment of such patients as it may send or cause to be sent to such hospital, not exceeding a daily average throughout the year of twenty, namely : Seven thousand three hundred days of care every year, and a further additional sum of one dollar per day for each patient over and above that number ; the said Alexandra Hospital to furnish and operate the ambulance service, and the parties of the first part agreeing to disinfect the houses affected by contagion and their contents ;

Whereas the said parties of the second part have entered into this agreement for and on behalf of the said Alexandra Hospital so to be incorporated ;

Now therefore these presents witness that the said parties hereto have covenanted and agreed and do covenant and agree as follows :

1. The Alexandra Hospital will construct and maintain an hospital on a site west of St. Lawrence street, Montreal, having at least three separate pavilions, with accommodation for at least one hundred beds for the use of city patients and those suffering from diphtheria, scarlet fever or measles whom the city will send or cause to be sent to said hospital, and, in addition, a suitable building, wing or department for observation of doubtful cases, the said hospital to be ready to receive patients on or before the first of January, nineteen hundred and four, but in case of delay through no fault of the said hospital there shall be granted a further reasonable extension of delay.

2. The said party of the first part hereby binds and obliges itself to pay to the said Alexandra Hospital the sum of fifteen thousand dollars, in each and every year, for twenty-five years, dating from the first day of January nineteen hundred and four, or such other date on which

all the buildings of the hospital are ready to receive patients, such payments to be made quarterly in sums of three thousand, seven hundred and fifty dollars each, on the last legal day of March, June, September and December in each and every year, together with a further additional sum, calculated at the rate of one dollar per day for each and every patient above the number of twenty each day, that is to say, one dollar per day for each and every day of nursing exceeding seven thousand, three hundred in any one year, such additional sum (if any) to be paid on the last legal day of December of each and every year when it is due.

3. The said parties of the second part hereby bind and oblige the said hospital to receive, treat and care for all persons in and of the city of Montreal that the party of the first part may send or cause to be sent to said hospital of all races and creeds without distinction, suffering from diphtheria, scarlet fever, and measles and such other disease as may be hereafter mutually agreed upon ; provided always that the party of the first part shall have the right, from time to time, upon declaring its intention in writing to the parties of the second part so to do, to substitute in the place of diphtheria, scarlet fever and measles, or any of them, another contagious disease which, in the opinion of the parties of the first part, it is more desirable in the interest of the city should be received in the said hospital than the three diseases above referred to ; provided always that the parties of the second part shall, at no time, be called upon to receive patients suffering from small-pox, asiatic cholera, leprosy or bubonic plague.

4. The ambulance service will be furnished by the said hospital and the said city will attend to the disinfection of infected houses and their contents.

5. It is hereby agreed that the said city of Montreal shall have the right to name and appoint a visitor to the said hospital, who shall be entitled and shall have the right to visit and inspect the said hospital, at all reasonable times, to examine the register of patients, and shall have access to the wards and departments of the said hospital.

6. The medical health officer of the parties of the first part or any other person authorized to act in his place, shall, at all times, have the right to require in writing the discharge of any patient which the said parties of the first part have sent or caused to be sent to the Alexandra Hospital who may, in the opinion of the said medical health officer be cured ; and, subsequent to such notification given, said patient shall not be considered as a city patient within the terms of this contract.

These presents have been thus entered into on the part of the said city under the authority of a resolution of the council of said city passed at a special meeting thereof, held on the second of March instant (1903) adopting a report from the Special Committee on Hospitals for persons suffering from contagious diseases, dated the seventeenth of February last (1903), a copy of which said resolution is hereto annexed, identified by the signature of the undersigned notary, *ne varietur*.

WHEREOF ACTE.

DONE AND PASSED, at the said city of Montreal, on the day, month and year first herein written, under the number twenty-one thousand, three hundred and fifty-seven of the original minutes of the said Mtre Dunton, and these presents, having been first duly read to the said parties hereto, the said mayor of the city of Montreal has signed, and the city clerk, to wit: LAURENT O. DAVID, residing in the said city, has countersigned the same and has affixed thereto the seal of the said corporation of the city of Montreal, and the said parties of the second part, the whole in the presence of the said notary, who has also signed.

	(Signed)	JAMES CRATHERN, by his attorney R. B. ANGUS,
	"	R. B. ANGUS,
	"	CHAS. F. SMITH,
	"	JAMES COCHRANE, mayor,
[Seal]	"	L. O. DAVID, city clerk,
	"	R. A. DUNTON, N. P.

A true copy of the original hereof remaining of record in my office.

R. A. DUNTON, N. P.