

R. S. 3812,
amended.

5. Article 3812 of the Revised Statutes is amended by adding, after the word, : “ payment,” in the second line, the words : “ to the treasurer.”

R. S. 3830,
amended.

6. Article 3830 of the Revised Statutes is amended by adding, after the word : “ payment,” in the second line, the words : “ to the treasurer.”

Coming into
force.

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

C A P. X X I X

An Act to amend the law respecting Anatomy

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S. 3960,
amended.

1. Article 3960 of the Revised Statutes is amended by adding thereto the following :

Holding of
post-mortem
examination.

“ When it is important that the cause of death be clearly and satisfactorily determined, the superintendent of any institution to which the anatomy act applies, may, in the case of the death of a patient supported by such institution, order a *post-mortem* examination of the body ; provided always that nothing in this clause shall be interpreted against the provisions of the anatomy act.”

C A P. X X X

An Act to amend the law respecting Physicians and Surgeons

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S. 3972,
amended.

1. Article 3972 of the Revised Statutes is amended :

(a) By replacing the word : “ forty,” in the second line, by the word : “ forty-two ”;

(b) By replacing the word: "nineteen," in the sixth line, by the word: "twenty-one";

(c) By replacing the word: "ten," in the thirteenth and sixteenth lines, by the word: "twelve."

2. Article 3987 of the Revised Statutes is amended by adding thereto the following words: "Such certificate shall be registered in the register of the registrar, and the Council of Discipline may annul the same if well founded complaints are made against the person who had obtained it." R. S. 3987, amended.

3. The following paragraph and articles are added after article 3997 of the Revised Statutes: Par. and arts, added after R. S. 3997.

" § 3a. — *Council of Discipline.*

L.—ORGANIZATION OF THE COUNCIL.

" **3997a.** The Board of Governors may form a council, called: 'Council of Discipline,' of four governors selected by the board. Council of Discipline.

The president of the board shall in addition form *de jure* part of the Council. Ex-officio member.

" **3997b.** The Council is entrusted with trying, hearing and deciding all accusations or complaints brought against a member of the college for any infringement of his professional duties or for acts derogatory to the honor of the profession. Powers of Council of Discipline.

" **3997c.** The quorum of the Council of Discipline is three. Quorum.

The president of the Board of Governors is *de jure* chairman, and the secretaries of the board act as clerks *ex-officio*. Chairman and secretaries.

" **3997d.** The powers of the members of the Council expire at the general meeting held for the election of the Board of Governors following their appointment, but the Council may, notwithstanding the expiry of its powers, render judgment upon any complaint which it has heard upon the merits. Duration of powers, &c.

" **3997e.** The Council shall sit at Quebec or Montreal, whenever it is so required by the chairman or by two members. Meetings of Council when and where held.

The secretary of the place where the Council meets acts as clerk. Who acts as secretary.

Regulations
by Board of
Governors
respecting
Council.

“ **3997f.** The Board of Governors is authorized to make regulations to define the manner of convening the Council, and all other regulations concerned with the exercise of the powers of the Council, provided such by-laws shall not in any wise restrict the right of the members of the corporation to practise their profession with a philanthropical and charitable object for the members of benevolent and mutual benefit associations and the charitable institutions of the Province ; but such regulations do not come into force until after they have been approved by the Lieutenant-Governor in Council.

II.—PROCEEDINGS UPON COMPLAINTS.

Complaints
&c., proceed-
ings thereon.

“ **3997g.** Complaints do not require to be drawn up in any special form, and, in the exercise of the powers conferred upon it, the Council may have recourse to all the means which it deems suitable to investigate the facts to be proved and to permit the accused to defend himself.

Power of per-
son presiding
to swear wit-
nesses, &c.

“ **3997h.** The person who presides may swear the parties and their witnesses, and the Board may compel them to appear and to answer under oath, and punish them by fine in case of refusal, and as regards such objects, it possesses generally all powers of the Superior Court.

Decision.

“ **3997i.** The decision of the Council is rendered by the majority of the members sitting.

Punishments
that may be
inflicted.

“ **3997j.** If the Council find the accusation brought to be well-founded it may, according to the gravity of the case, condemn the accused to one of the following punishments :

1. Censure ;
2. Deprivation of the right to be elected to the office of Governor of the College, and even of the right of voting at elections of Governors of the College, for a certain time ;
3. Deprivation, for a certain limited and definite time, of the right to practise his profession.

Costs.

“ **3997k.** The Council may condemn to such costs as it deems expedient the unsuccessful party or divide such costs and, in addition, may condemn such party to pay to the successful party a sum intended to indemnify him for his personal expenses incurred respecting the complaint.

III.—APPEALS.

Appeal to
Board of Gov-
ernors.

“ **3997l.** Every decision or judgment of the Council of Discipline which imposes one of the disciplinary punish-

ments enumerated in article 3997j is subject to appeal to the Board of Governors.

Such appeal is made by letter containing a copy of the decision, addressed within fifteen days after the same is rendered to one of the secretaries of the Board. How taken.

Upon receipt of such notice, the secretary of the Board of Governors of the place where the next meeting of the Board is to be held, is bound to cause the record in the matter to be sent to him, and to keep it to lay it before the Board of Governors at its next meeting. Secretary's duty there-upon.

“**3997m.** The Board of Governors decides the appeal in a summary manner, at its earliest meeting after the receipt of the notice of appeal by the secretary. Proceedings on appeal.

No other evidence than that adduced before the Council of Discipline can be admitted on the appeal. Evidence.

The Board of Governors may, however, hear the complainant and the accused or their counsel. Hearing of parties.

“**3997n.** The Board of Governors may confirm the decision of the Council or pronounce the judgment it should have rendered, and, in either case, decide, as it may deem equitable, as well upon the costs of the first instance as of those in appeal. Power of Board of Governors on appeal.

“**3997o.** The decision of the Council of Discipline, if not appealed from within the required delays, and, in case of appeal, that of the Board of Governors, are final. Decision of Council final if not appealed from.

IV.—EXECUTION OF JUDGMENTS.

“**3997p.** In default of any party paying the costs to which he has been condemned, and in default of payment of the fine by a witness condemned to pay such fine, within fifteen days after the decision of the Council of Discipline, if there has been no appeal, or of the Board of Governors, if an appeal has been taken, the party to whom such costs are due may obtain from the Superior Court of the district in which the complaint was made an execution against the moveables and immoveables of the person condemned to pay the same, by depositing in the office of the prothonotary a detailed statement of such costs duly certified by one of the secretaries of the Board, with a copy, certified in the same manner, of the judgment adjudicating upon the costs. Execution for fine and costs if not paid.

If the costs do not reach forty dollars no execution against immoveables can be issued.”

4. Article 3998 of the Revised Statutes is amended by adding after the words: “such delay,” at the end of the seventh clause, the words: “or by a prosecution before a R. S., 3998, amended.

justice of the peace, in conformity with the provisions of Part LVIII of the Criminal Code, 1892.”

Coming into force.

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

C A P. X X X I

An Act to amend the law respecting admission to the practice of medicine in certain cases

[Assented to 15th January, 1898]

Preamble.

WHEREAS there are at present in the universities of this Province nearly two hundred students who have commenced attending the medical course before having obtained a certificate of admission to the study of medicine ;

Whereas the fact of their not having been regularly admitted to the study of medicine exposes them to lose the benefit of several years of medical studies ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows ;

Certain students of universities may be admitted to practise after passing examinations for study and practice.

1. Notwithstanding article 3978 of the Revised Statutes, the College of Physicians and Surgeons of the Province of Quebec is authorized to admit to practise the medical students who, on the first of November, 1896, had commenced attending the medical course in a duly incorporated university of the Province of Quebec, before having obtained a certificate of admission to the study of medicine and to grant them the necessary license to practice medicine, surgery and obstetrics in the Province after having passed the examinations required for admission to study and those required for admission to practise.

Coming into force.

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

C A P. X X X I I

An Act concerning Civil Engineers

[Assented to 15th January, 1898]

Preamble.

WHEREAS by an act of the Parliament of Canada, 50-51 Victoria, chapter 124, “The Canadian Society of Civil Engineers” was incorporated, and it is deemed advisable to establish the qualifications necessary to permit persons to