

Holders of debenture stock not to vote, &c., at meetings but are considered as creditors.

**19.** The holders of debenture stock shall not be entitled as such to be present or to vote at any meeting of the company, nor shall such stock confer any qualification, but it shall, in all respects, not otherwise provided for by or under this act, be considered as entitling the holders to the rights and powers of creditors of the undertaking, except the right to require repayment of the principal money paid up with respect to the debenture stock.

Conversion of mortgage bonds, &c., into debenture stock.

**20.** The company may make such arrangements and regulations respecting the conversion and exchange of its mortgage bonds and debentures into and for debenture stock, and for the reconversion and reexchange of the same by the respective holders thereof, as are deemed expedient.

Bonds, &c., may be issued in sterling or currency, &c.

**21.** The mortgage bonds, debentures and debenture stock of the company may be issued either in Canadian currency or in sterling, or in both, at the option of the company.

Company may receive aid from Governments, municipalities, &c.

**22.** The company may receive, from any Government or from any person, city, town, municipality or village, whether incorporated or not, and having power to make or grant the same, in aid of the construction, equipment and maintenance of the said works, grants of land, exemption from taxation, loans, gifts of money, guarantees and other securities for money, and may hold and dispose of the same for the purposes of the company.

Law applicable.

**23.** The provisions of the Joint Stock Companies' General Clauses Act shall apply in so far as they are not incompatible with the provisions of this act.

Coming into force.

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

## C A P . L X X X I I

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

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS the Notre Dame Hospital, a benevolent corporation of the city of Montreal, where it has established a hospital, in which it receives and treats patients from various parts of the Province, without distinction of nationality or of religious belief, was incorporated by the act of this Province 44-45 Victoria, chapter 48; which was successively amended by the acts of this Province 44-45 Vic-

toria, chapter 49, and 46 Victoria, chapter 64 ; and whereas the said corporation has, by its petition, prayed that the provisions of the said statutes be consolidated and amended, and it is expedient to grant such prayer ;

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

**1.** The incorporation of the Notre Dame Hospital, except as otherwise provided in the present act, is confirmed with all the 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, and for such purposes the corporation may acquire, receive and possess moveables and immoveables of all kinds, by any title whatsoever,—gift, purchase, legacy, lease or otherwise—and enjoy the same, with power, at any time to hypothecate, sell, exchange, lease or otherwise alienate or dispose thereof, in whole or in part, and acquire others, provided the immoveable property so acquired does not exceed in annual value the sum of fifty thousand dollars.

Confirmation  
of powers,  
&c., of hos-  
pital.

**2.** The seat of the corporation is situated in the city of Montreal.

Head office.

**3.** The object of the corporation is to establish, maintain and administer a hospital with the branches and necessary annexes, wherein sick persons, without distinction of religion or nationality, may be received and treated.

Object of cor-  
poration.

**4.** The corporation of the Notre Dame Hospital consists of three classes of members :

Classes of  
members :

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

Life govern-  
ors :

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

Medical mem-  
bers :

3. The persons who shall contribute to the funds of the hospital, at the dates fixed by the by-laws, a sum of at least five dollars per annum (hereinafter called subscribing members) so long as they shall pay such contribution.

Subscribers  
of certain sum  
annually.

**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, to the medical council and to the subscribing members.

Administra-  
tion of corpo-  
ration.

**6.** All those persons shall be life governors of the corporation who have made a donation to the hospital of at least

Qualification  
of life govern-  
ors.

one hundred dollars, but to exercise such rights they must pay, at the dates fixed by the by-laws, an annual contribution of at least ten dollars.

Medical life  
governors.

Every member of the medical board who has served for at least ten years may be elected a life governor by the board of management on the written recommendation of the medical council, and he shall retain such office so long as he pays the said annual contribution of ten dollars.

Constitution  
of board of  
management.

**7.** Except in so far as is hereinafter provided regarding the medical board and medical council, the affairs of the corporation are managed, and the corporation is governed by a board of management consisting of thirteen members selected as follows : one priest from the Seminary of St. Sulpice, appointed every year by the superior of the said seminary ; 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.

Power of  
board of man-  
agement.  
to make by-  
laws.

**8.** The board of management may adopt by-laws, not 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-patronesses or of other associations calculated to secure the proper working of the hospital ; the carrying out of all the decisions of the medical board ; the determining of the quorum of its meetings and of the general meetings of the corporation.

Power of  
board of man-  
agement to  
effect loans,  
&c.

**9.** The board of management may effect loans to such amount as it may deem expedient in the name of the corporation for the purposes thereof, and hypothecate and pledge as security the property of the corporation for the repayment of such loans.

Certain mem-  
bers may take  
part in pro-  
ceedings of  
corporation.

**10.** The members of the medical board and of the medical council, as well as the subscribing members, in so far 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.

Annual meet-  
ing.

**11.** The annual general meeting of the corporation takes place on the third Wednesday of October of each year, or at

any other 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.

At such meeting, and at every special meeting to which the members of the medical board and of the medical council, as well as the subscribing members, may be convened, they shall, on every question submitted to the meeting, have one vote, and the life governors shall have two votes.

**12.** The board of management meets within the week 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.

**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 ; by the superior of the Seminary of St. Sulpice, for the representative of the said seminary ; by the medical board, for the three members of the board of management elected by it.

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.

**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.

It may confide the care of the sick and the internal management to nuns, especially the control over the number, engagement and dismissal of employees, servants and domestics ; and it may consent to and make any deed or contract stipulating the conditions of any arrangement for such purposes, which shall be subject to annual resiliation at the desire of either of the contracting parties.

It also appoints medical officers of the hospital, including the physicians attached to it, either as consulting physicians, attending physicians, house physicians or otherwise, and fills the vacancies that may occur in such offices, but only on the nomination of the medical council, and it may remove such medical officers upon recommendation of such council.

Nevertheless, if the medical council neglect to make such nomination or recommendation, within the three months after a notice that such appointment or removal is necessary

Power of voting.

Election of officers.

Vacancies on board of management.

Power of remaining members of board.

Appointments by board of management.

Care of sick.

Appointment of medical officers upon recommendation of medical council.

Power of board of management to appoint, with-

out, &c., in certain cases. has been given to it in writing by the board of management, such board may effect such nomination or removal without the previous intervention, nomination or recommendation of the medical council.

Control of medical and surgical administration.

**15.** The medical and surgical administration of the hospital and its branches and annexes, as well as the choice of physicians to be attached to the various services and to the various duties of the hospital, is under the control of a medical board and of a medical council.

Composition of medical board.

The medical board consists of the physicians attached to the various services of the hospital, of the consulting physicians, of the members of the medical council and of the chief house physician.

Control of medical board.

The medical board alone controls the medical and surgical administration of the hospital, especially as regards the admission of patients, their treatment, their diet and their discharge.

Composition, &c., of medical council.

The medical council consists of the senior physician of the School of Medicine and Surgery of Montreal, medical faculty of the Laval University in Montreal, *ex-officio*, and of four members of the medical board elected annually by it, two of whom at least shall be selected from among those of its members who are titular professors of the said School of Medicine and Surgery of Montreal, medical faculty of Laval University at Montreal.

Powers of medical council.

The medical council 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 for the various medical and surgical services of the hospital, and also to demand their removal if need be.

Quorum of council.

The quorum of such council shall be three.

Term of office of medical board, &c.

**16.** The members of the medical board remain in office so long as they retain their qualification as such under the terms of the preceding section.

Absence, &c.

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

Vacancies in council.

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

Duty of council in cases of vacancies in offices of hospital.

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.

Dismissal of members of medical board by board of management on recom-

**17.** Every member of the medical board who fails to observe the code of medical ethics which may be adopted by such board, or whose conduct is of a nature, in the opinion of the medical council, to render his presence on the board

useless or to injure the good reputation of the hospital, may, on the recommendation of the medical council, be dismissed by the board of management.

recommendation of medical council.

Nevertheless, if in the opinion of the board of management a member of the medical board has been guilty of a dishonorable act or of an act which may injure the hospital, the board of management may, without any recommendation from the medical council, dismiss such member of the medical board, but, in such case, and before doing so, a written charge specifying the cause of dismissal, must be brought against such member by a member of the board of management, and a copy of such charge, with a notice of the day when the board of management shall take cognizance thereof, must be sent at least eight days before the hearing of the complaint, to the accused member who has a right to be heard on the day specified on the complaint brought against him.

Power of board of management to act without recommendation of medical council.

Proviso.

**18.** In the event of the medical board neglecting to fill, in accordance with the provisions of this act, any vacancy that may have arisen on the medical board, within 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 a qualified physician to fill such vacancy.

Power of board of management to appoint physicians in certain cases.

**19.** The annual meeting of the medical board takes place each year before the date fixed for the annual general meeting of the corporation, and, at such meeting, the board selects from among its members a president, a secretary and its four representatives on the board of management, as well as the members of the medical council.

When annual meeting of medical board takes place.

**20.** The medical board keeps minutes of its proceedings. It may adopt by-laws for the holding of its meetings and for determining the quorum thereof; for defining the duties of the consulting physicians, of the attending physicians, house physicians and of the other medical officers; for the admission of medical students to the wards of the hospital, and for that purpose fix the fees that they shall have to pay to the treasurer of the hospital; for the medical and surgical affairs of the hospital, of its branches and annexes, and for the performance of any duty or function imposed on the medical board by this act.

Minutes of board.

Power to make certain by-laws.

o 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

*Post-mortem* examinations.

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.

44-45 Vic., cc. 48 and 49; 46 Vic., c. 64, repealed, &c. **21.** The acts 44-45 Victoria, chapter 48; 44-45 Victoria, chapter 49, and 46 Victoria, chapter 64, are repealed, but such repeal shall not affect any vested rights or any obligation assumed by the corporation.

Present officers, &c.

Nevertheless, the officers of the corporation, the attending physicians and other medical officers of the hospital now in office, shall remain, as if they had been elected or appointed under the authority of this act, the whole subject to the above provisions as to their being replaced at the expiration of their term of office or in case of a vacancy.

Coming into force.

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

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### CAP. LXXXIII

An act to change the name of the Montreal Firemen's Benevolent Association, and to consolidate and amend the acts respecting the same

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** the Montreal Firemen's Benevolent Association has, by its petition, represented:

That William Spiers, M. Moses, David Brown, John Fletcher, Norton B. Corse, John Orr, Alex. Bertram, William Muir, Normand S. Frost, Olivier Rodier, W. Ewan, D. McNeven, James Morrison, Philip Groux, Abraham Wilson, John Ferguson, George Rogers, Robert Wright, John Perrigo, John R. Cameron, James Ruthven, Wm. Watson, Wm. Stewart, H. Colquhon, John Ranson, J. B. Tison, Arthur Samuels, S. Robinson, Samuel McConkey, Thomas Hood, P. C. Brouillette, were incorporated, under the name of the Montreal Firemen's Benevolent Association, by the act 10-11 Victoria, chapter 101; that such corporation was authorized to acquire and dispose of moveable and immoveable property, the annual value of the revenue whereof should not exceed four thousand dollars, to appear before the courts and to regulate the admission or expulsion of its members, and the various objects of the said incorporation;

That the said association was authorized, by the act 14-15 Victoria, chapter 41, to establish a fund for assisting the widows and orphans of firemen who died in the performance of their duties;