

C A P. V I.

An Act respecting Longue Pointe Asylum.

[Assented to 9th January, 1897.]

Preamble.

WHEREAS, from 1867 to 1873, when every thing had to be reorganized under the new system introduced by the Confederation Act, the insane of the western part of this Province had not received all that attention and care which was necessary for them and were not housed in a suitable asylum ;

Whereas, in 1873, the public authorities, recognizing their obligations and responsibility in the matter, requested the Sisters of Charity of Providence to undertake the care and keeping of the said insane, which they consented to do ;

Whereas, in 1875, a contract for twenty years was consequently passed, and this contract has now been terminated for upwards of a year, and has not been renewed, but has been tacitly continued since its expiration ;

Whereas, to carry out the contract, the said sisters built at Longue Pointe, near Montreal, an asylum which, with its dependencies, cost them over a million of dollars ;

Whereas, in 1890, five years before the expiration of their said contract, a disastrous fire destroyed the said asylum with all its furniture, that the said asylum was insured for only \$200,000, and that sum was entirely owing to creditors who had supplied the money to build ;

Whereas, owing to the said fire, twelve hundred insane patients became houseless, and there was no place in which they could be suitably lodged as they should be ;

Whereas the said sisters then set to work without delay and in all haste built, at a cost of over \$300,000, several isolated buildings or pavillions to replace the buildings destroyed ; but that these isolated buildings, owing to the urgency of the occasion, were not placed on durable foundations and were not built as if intended to be permanent ;

Whereas it is urgent that these isolated buildings be replaced by permanent buildings placed in a situation where they would not be exposed, as at present, to the floods of the river St. Lawrence ;

Whereas, after careful examination, the said sisters represent that the new buildings would cost them over one million and a half dollars, that they are already heavily indebted owing to the circumstances above set forth, that it is impossible for them, under the same conditions, to enter into a new contract which would render necessary the immediate commencing of the new buildings, and that they have demanded one hundred and thirty dollars per patient in future, in place of the one hundred dollars they now receive ;

Whereas the Government has been in negotiation for a long time with the said sisters upon the subject, and it has been impossible as yet to come to an understanding ;

Whereas the Province has made considerable sacrifices to contribute to the erection and maintenance of a Protestant asylum for the insane ;

Whereas the Province originally supplied the land (Leduc's farm) required for the erection of the said asylum, and that the said farm, having been afterwards considered unsuitable for the purpose, it was sold and the price of sale served for the purpose of purchasing a more suitable property ;

Whereas, further, the Province has, from time to time, lent different amounts to aid the said building, and, in 1892, these sums amounted to \$50,000 ;

Whereas, at that date, a statute (55-56 Victoria, chapter 39,) was passed, authorizing the Government to guarantee the capital and interest of a loan of \$150,000 at a reduced rate of interest ;

Whereas, afterwards, in 1895, by the act 59 Victoria, chapter 5, the Province consented : 1, to guarantee, on behalf of the said Protestant Insane Asylum, the reimbursement of the capital and interest of a further sum of thirty-five thousand dollars, making in all one hundred and eighty-five thousand dollars ; 2, to pay, out of the Consolidated Revenue Fund, for three years, the interest at four and one half per cent on the first one hundred and fifty thousand dollars ; 3, to further pay interest at the same rate, for three years, on the said additional thirty-five thousand dollars when debentures should be issued for that purpose ;

Whereas, further, when the Province had been for a long time, paying only one hundred dollars, per annum, per patient, for the insane at Longue Pointe, the said Protestant asylum for the insane received sixteen dollars more per patient, per annum, in addition to the guarantees and payment of the interest above mentioned.

Whereas there is reason to believe that an understanding between the Government and the said sisters may be arrived at respecting a proposed contract for the care and keeping of the said insane patients, which proposed contract would be in the nature of that contained in the schedule annexed to this act ;

Whereas, if the sisters do not build as hereinafter provided, it is expedient that, in any case, a temporary contract should be entered into with them ;

Whereas it is in the public interest to aid in the rebuilding of the said asylum to a certain extent ;

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

Contract with Sisters of Charity authorized.

1. The Lieutenant-Governor in Council is authorized to enter into a contract with the community of the Reverend Sisters of Charity of Providence in the form and tenor of the draft contract contained in the schedule annexed to this act.

If contract signed by sisters, &c., Lieutenant-Governor in Council authorized :

2. If the said sisters sign such contract, and bind themselves to rebuild the St. Jean de Dieu Asylum for the insane, now situated at Longue Pointe, at a sufficient distance from the river to prevent its being exposed to spring floods, to continue such rebuilding without interruption so that it may be completed within five years, and to put up the new buildings for that object on plans approved by the Lieutenant-Governor in Council, the said buildings, together with their dependencies and the ground on which they shall be erected to cost at least one million dollars,—the Lieutenant-Governor in Council may :

To guarantee interest and capital of loan of \$500,000, upon certain conditions.

1. Guarantee for a numbers of years to be agreed upon, the payment of the capital of a loan of five hundred thousand dollars effected by the said sisters and of the interest on such loan at a rate not exceeding four per cent per annum, which loan shall be applied to the satisfaction of the Lieutenant-Governor in Council, in the construction of the said new buildings, provided :

(a) That any sum which the Government may hereafter be called upon to pay in consequence of such guarantee, shall be deducted from the amount due every year to the said sisters under the contract, the draft whereof is contained in the schedule to this act ;

(b) That for the reimbursement of any sum which the Government may have to pay in consequence of such guarantee, the said sisters shall give a mortgage in favor of the Government on the said new buildings and on the present buildings, as well as upon the land on which they are or shall be erected, and

(c) That the said sisters shall insure the said buildings for at least one half their value and shall transfer the insurance policies to the Government or to the lenders ;

Government, for purpose of helping to pay off mortgage, to grant certain additional sums to the sisters.

2. Undertake to pay to the said sisters, both for the purpose of contributing towards the gradual reduction of the amount of interest payable on the said loan and of enabling them to commence extinguishing a portion of the capital of their debt by means of a sinking fund :

(a) An additional sum of fourteen dollars per annum for each patient provided for in the contract in the schedule to this act for eight years from the first of July, 1898 ;

(b) A sum of twelve dollars per annum for each of such patients during the eight years following the eight years above mentioned ;

(c) A sum of ten dollars per annum for each of such patients, for the whole of the unexpired term of their con-

tract of twenty-five years, counting from the end of the sixteen years above mentioned.

3. The Lieutenant-Governor in Council is authorized to do everything that may be necessary to give effect to this act and to make all modifications as regards form and details in the proposed agreements, which may be necessary to facilitate an understanding, in accordance with the general idea thereof.

Further powers of Lieutenant-Governor in Council respecting execution of this act.

4. If an agreement based upon the preceding sections be impossible, it shall be lawful for the Lieutenant-Governor in Council to sign the draft contract contained in the schedule annexed to this act, but with an additional clause to the effect that the said sisters may, upon giving eighteen months' notice, terminate the said contract.

Contract, with additional clause, may be signed in certain event.

5. The said establishment of the St. Jean de Dieu Asylum for the insane, and the immoveable dependencies thereof, shall be exempt from all municipal, school and *fabrique* taxes.

Exemption of St. Jean de Dieu Asylum from municipal and school taxes.

6. It shall be lawful for the Roman Catholic Ordinary of the archdiocese of Montreal to erect the said establishment, and the immoveable dependencies thereof, into a separate parish, and such erection shall have all its civil effects on publication of the decree of the said Ordinary in the *Quebec Official Gazette*.

Asylum may be erected into a parish. Effect of erection, &c.

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

Coming into force.

SCHEDULE.

In the year one thousand eight hundred and ninety-
the day of , before the undersigned,
notary public for the Province of Quebec, residing in the
city of , came and appeared :

Her Majesty, Queen Victoria, herein represented by the
Honorable M. F. Hackett, of Quebec, Provincial Secretary,
and member of the Executive Council of Her Majesty's
Government in the Province of Quebec, hereunto duly
authorized by an order in council dated the , ap-
proved on the , a copy whereof is hereunto
annexed, of the one part ;

The Community of the Sisters of Charity of Providence,
hereinafter designated the "Sisters of Providence," duly
incorporated, herein represented by the Reverend Dames
 , General Superior of the said Asylum of

Providence, and _____, depository and treasurer of the said corporation, both specially authorized for the purposes of these presents by a resolution of the council of the said Community, dated the _____, a copy whereof is hereunto annexed _____, of the other part ;

Which said parties have stipulated together as follows :

I. The said Sisters of Providence, represented as aforesaid, undertake and oblige themselves, for the space and term of twenty-five years, commencing from the first of January, eighteen hundred and ninety-seven, to receive and lodge, as hereinafter set forth, insane persons of both sexes, who shall be confided to their care by the said Government of Her Majesty in this Province of Quebec ; to give them proper food, clothing, care, heat and light, and also every attention which they may require both in health and in sickness, and to provide them with the medical care required by their condition, as hereinafter explained.

II. The food and clothing to be given the said insane, and the beds and bedding to be supplied them shall be at least equal to those mentioned in schedule " A " annexed to the present contract and signed by the parties in the presence of the said notary.

III. Her Majesty's said Government hereby undertakes to place under the care of the Sisters of Providence, the insane as aforesaid to the number of not less than one thousand, including those already under their care in virtue of a contract passed at Quebec, on the thirtieth of July, one thousand eight hundred and seventy-five, before J. B. Delage, notary, which is replaced to all intents and purposes by the present contract.

IV. Her Majesty's said Government shall pay to the said Sisters of Providence, at the office of the Treasurer of the Province of Quebec, a sum of one hundred dollars per annum for each patient, by monthly payments, on the last day of each month, the first payment whereof shall be made *pro tanto* on the thirty-first of January, eighteen hundred and ninety-seven.

V. For and in consideration of the said sum of one hundred dollars per annum per patient, the said Sisters of Providence bind themselves to take, during the whole time the present contract shall last, the same care of the said patients, and provide them with at least the same comforts, the same amusements and recreation, and the same attention as at present, in a word, to treat them in every respect at least as well as they are now treated, and, moreover, to improve the keeping of their Asylum generally as science and experience indicate improvements in the treatment of the insane.

VI. The said Sisters of Providence shall have the right to have physicians selected by them in the said Asylum

for the treatment of the patients, and they shall pay them themselves. The medical treatment by such physicians shall, however, be under the supervision, the right of visiting and inspection and subject to the approval of other physicians appointed by the Government; but if, in the opinion of the Government physicians, it is expedient, with a view to the cure of such patient or patients, that the ordinary medical treatment be changed for one which requires greater expenditure or that the diet mentioned in schedule A be changed, such treatment or diet shall be changed accordingly, provided orders to that effect be given by the Provincial Secretary, but all additional expense resulting from such change of treatment or diet shall be borne by the Province, over and above the sum of one hundred dollars paid for such patient or such patients in virtue of the present contract.

VII. The said Government physicians shall alone have control over admissions and the temporary or final discharge of patients; they shall also have the right of allowing or ordering the visits which the patients may receive from their relatives and friends.

VIII. A sufficient staff, of both religious and lay persons, shall be maintained in the institution to allow of there being, on an average, one keeper for every eight patients.

IX. The lay keepers shall perform their duties in such manner, that the Government physicians shall have no reason to complain of them.

X. The clothing of the patients shall be suitable for the various seasons, so that all who can do so shall go out every day as much as possible.

XI. The work of the patients shall be varied, so that it may contribute to their cure.

XII. The sisters shall give their assistance to the Government physicians, to the visitors and to the Inspectors of Asylums, so as to facilitate their work and the performance of their duties.

XIII. The establishment shall be so ventilated, that no disagreeable odor shall remain in the Asylum or its dependencies.

XIV. The said Sisters of Providence shall be paid the amount, not greater than that which they now pay, which they shall have to pay for a chaplain, who shall devote his services exclusively to the Asylum.

XV. Any refusal to fulfil any one or more of the conditions of the present contract shall be a sufficient reason for cancelling the same.

XVI. The persons so confided to the care and keeping of the Sisters of Providence shall be transported to and discharged from the Asylum solely at the expense of the Government of the Province of Quebec or of the parties

interested, saving the Government's recourse against persons, corporations or municipalities who are liable thereto by law.

XVII. But it is hereby stipulated that, if after their arrival at the Asylum, such persons should escape or wander from the Asylum, the said sisters shall be bound, at their own expense, to take all the necessary steps to find them and bring them back to the Asylum.

XVIII. Whenever any of such persons confided to the care of the sisters shall escape or wander from the Asylum, the said Sisters of Providence shall send a notice to the Provincial Secretary mentioning the name of the person who shall have so left the Asylum, the date of his departure and that of his return.

XIX. In the event of the death of any of the persons so confided to the sisters, the latter shall also give notice to the Provincial Secretary, mentioning the name of the person deceased and the date of his death; and for the burial and funeral expenses of each such person the Government shall pay to the said Sisters, at the date of the quarterly payment following the death, an additional sum of three dollars and ten cents.

XX. The said Sisters of Providence shall not have the right to transfer the present contract or to have the same carried out by others, without the consent of the Lieutenant-Governor in Council.

XXI. As regards all matters not mentioned in the present contract, the parties refer to the law of the Province of Quebec respecting insane asylums and the insane.

SCHEDULE A.

REGULATIONS RESPECTING THE FOOD AND RATIONS FOR MEN AND WOMEN :

| | Per diem. |
|---|-----------|
| Wheat Bread..... | 20 oz. |
| Potatoes, carrots, turnips and other vegetables.... | 20 " |
| Meat : beef, mutton or pork, of the best quality : | |
| For ordinary patients..... | 6 " |
| For patients able to work or who are quiet..... | 8 " |
| The same quantity of fish per diem if desired. | |
| Butter..... | 2 " |
| Meat or vegetable soup..... | 2 pints. |
| Tea and coffee with milk..... | 1½ " |
| And necessary condiments. | |

The preparation of the food shall be varied, and there shall be, at least, three meals a day for each patient, and variety in the food every day, as much as possible, with fruit or dessert once a day.

Clothing for men.

| | Per annum. |
|--|------------|
| Shirts..... | 4 |
| Flannel under shirts..... | 2 |
| Cotton do | 2 |
| Wollen socks..... | 3 pairs. |
| Cotton do | 3 " |
| Shoes..... | 3 " |
| Summer trousers..... | 2 " |
| Winter do | 2 " |
| For patients who spoil their clothes : | |
| Summer trousers | 4 pairs. |
| Winter do | 4 " |
| Braces | 1 " |
| Cotton drawers..... | 2 " |
| Woollen do | 2 " |
| Summer cravats..... | 2 |
| Winter comforters..... | 2 |
| Summer coats..... | 2 |
| Winter do | 2 |
| Summer waistcoats..... | 2 |
| Winter do | 2 |
| Summer hat..... | 1 |
| Winter cap..... | 1 |
| Pocket handkerchiefs..... | 3 |

Clothing for women.

| | Per annum. |
|---------------------------------|------------|
| Chemises..... | 4 |
| Flannel under shirts..... | 2 |
| Cotton do | 2 |
| Woollen stockings | 3 pairs. |
| Cotton do | 3 " |
| Garters | 1 " |
| Shoes | 3 " |
| Summer petticoats..... | 2 |
| Winter do | 2 |
| Cotton dresses for summer..... | 2 |
| Woollen dresses for winter..... | 2 |
| Summer shawls..... | 2 |
| Winter do | 2 |
| Aprons | 4 |
| Day caps..... | 3 |
| Night caps | 3 |
| Handkerchiefs | 3 |
| Summer hat | 1 |
| Winter cap..... | 1 |
| Summer drawers | 2 pairs. |
| Winter do | 2 " |