

CAP. XXXI.

An Act to amend the law respecting Asylums for the Insane.

[Assented to 27th February, 1893.]

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

1. The first clause of article 3185 of the Revised Statutes R. S., art. 3185, amended. is amended by replacing the word: "Board," in the second line, by the word: "superintendent."

2. The last clause of article 3187 of the said Statutes R. S., art. 3187, amended. is amended by replacing the words: "inspector of asylums," in the last line, by the words: "Provincial Secretary."

3. Paragraph 5 of article 3195a of the said Statutes, R. S., art. 3195a, and 55-56 V., c. 30, s. 2, amended. as contained in section 2 of the act 55-56 Victoria, chapter 30, is amended by adding, after the words: "secretary-treasurer," in the second line, the words: "or clerk, as the case may be,".

4. The first paragraph of article 3195d of the said Statutes, R. S., art. 3195d, and 55-56 V., c. 30, s. 2, amended. as contained in section 2 of the act 55-56 Victoria, chapter 30, is amended by adding, after the word: "annex," in the third line, the words: "together with form K,".

5. The last clause of article 3197 of the said Statutes R. S., art. 3197, amended. is replaced by the following:

"The physician's certificate shall set forth, in accordance with form C and its annex, the mental condition of the patient, give particulars respecting his malady, and show the necessity of his being confined and kept in an asylum. Contents of physician's certificate.

The proprietor or superintendent of the hospital shall forward, with his demand of admission, a certificate drawn up according to form K, or any other form of the same nature, signed by the secretary-treasurer or clerk, as the case may, of the municipality whence the patient came on his entering the hospital and, in his absence, by the mayor of such municipality." Certificate to accompany demand of admission.

6. Article 3199 of the said Statutes, as amended by section 4 of the act 55-56 Victoria, chapter 30, R. S., art. 3199, and 55-56 V., c. 30, s. 4, amended. is again amended by replacing the words: "C or C, D and E," in the fourth line, by the words: "C and its annex and K, or C and its annex and D, E and K."

7. The following article is added after article 3200 of the said Statutes: Art. added after R. S., art. 3200.

Weekly re-
turns to me-
dical super-
intendent.

"3200a. The proprietors of the asylum shall, on the eighth, fifteenth, twenty-second and thirtieth of each month, furnish the medical superintendent with a statement in duplicate of the admissions, re-admissions, discharges and deaths of the patients.

Such returns
to be sent to
Provincial
Secretary.

The superintendent shall countersign one of the duplicates and forward it to the Provincial-Secretary within two days after receiving the same."

R. S., art.
3201, replaced.

8. Article 3201 of the said Statutes is replaced by the following :

Powers of
superintend-
ent to enter
buildings, &c.

"3201. For the purposes of this section, the medical superintendent shall have access, at all times, to any part of the asylum, in which are confined the persons admitted to and detained therein, and may also, when he deems it necessary, and at suitable hours, take communication of the registers in which the names of the patients are entered, as well as of all the books, registers and documents relating to the patients."

R. S., art.
3209, § 1,
replaced.

9. The first paragraph of article 3209 of the said Statutes, as amended by the act 54 Victoria, chapter 29, section 7, is replaced by the following :

Prisoners
found insane.

"3209. Whenever the sheriff of any district has reason to believe that any person, confined in gaol for any offence whatever, is insane, he shall cause such person to be examined by the medical superintendent of an asylum for the insane or by any other physician appointed by the Lieutenant-Governor in Council; and, if the report of such physician, drawn up according to form C and its annex, establishes the insanity of such person, the sheriff at once transmits these certificates with the copy of the order or warrant of commitment under which he is imprisoned, to the Provincial Secretary, who, after examining such documents and any others that he may deem it necessary to require, orders the confinement of the prisoner in the asylum nearest to the gaol in which the prisoner is confined."

Art. added
after R. S.,
art. 3209.

10. The following articles are added after article 3209 of the said Statutes :

Cost of main-
tenance of
prisoners at
an asylum, by
whom paid.

"3209a. When an insane patient is transferred from a gaol to an asylum, the expense of the maintenance, lodging and treatment of such insane person is due and paid by the municipality of the city or incorporated town or of the county in which the patient was arrested, saving the recourse of such municipality, in cases in which the patient was not then domiciled within its limits, against the municipality of the city or incorporated town or of the county in which he was domiciled.

Recourse of
municipality.

If, however, the municipality of the incorporated city or town or county, called upon to pay in virtue of this article, indicates clearly to the Provincial Secretary, before the suit is taken, the place where the patient had his domicile before his arrest, the Government shall cause the municipality of the incorporated city, town or county, in which the patient had his said domicile, to pay directly.

"3209b. The proprietors of each asylum for the insane shall forward to the Provincial Secretary, at the same time as the list required by article 3223, a list containing the names of the insane patients confined in the asylum who have been transferred from a gaol.

List of such patients to be forwarded to Provincial Secretary.

"3209c. Articles 3224, 3225, 3226, 3227, 3228, 3228a and 3232a shall apply in the case of the transfer of an insane patient from a gaol to an asylum."

Application of certain articles.

11. Article 3220 of the said Statutes is repealed.

R. S., art. 3220, repealed.

12. Article 3224 of the said Statutes as replaced by the act 55-56 Victoria, chapter 30, section 8, is again replaced by the following :

R. S., art. 3224, and 55-56 V., c. 30, s. 8, replaced.

"3224. On receiving such list, the Provincial Secretary shall, without delay, cause a detailed list to be prepared for each city, town or county municipality, showing the sums of money due by it, and forward it at once to the collector of provincial revenue of the district in which such city or town or county municipality is situated.

Detailed list to be sent to collector of provincial revenue of amounts due by cities, &c.

On receipt of such list, the collector of provincial revenue shall forthwith send, to the secretary-treasurer or clerk of the municipality interested, a duly certified extract from such list, containing the names of the insane persons towards whose maintenance the municipality is bound to contribute, as well as the amount due by it for such insane persons, with a notice requiring him to pay into his hands, on or before the first day of May then next, the amount due for such contribution."

Duty of collector on receipt of such list.

13. Section 11 of the act 55-56 Victoria, chapter 30, is repealed, and the following articles are added to the said Statutes, after article 3228c enacted by the said act 55-56 Victoria, chapter 30, section 8 :

55-56 V., c. 30, s. 11, repealed. Articles added after R. S., art. 3228c.

"3228d. Any provision of law to the contrary notwithstanding, the costs of transport of a patient to an asylum are payable by the municipality of the city, town or county liable for the full or partial payment of the custody, maintenance and treatment of such patient in the asylum, and may be claimed as soon as incurred.

Payment of cost of transport of the insane.

Recourse by
municipality.

" 3228e. It shall be lawful for any municipality, which shall have paid any sum of money to the Government for the cost of the maintenance, custody and treatment of any insane person, as well for the costs of transport of an insane person, to obtain the repayment thereof by suit and distress levied, in the usual manner, on the property of the insane person, or of those who are obliged by law to support or provide for him.

Any law to the contrary notwithstanding, it shall be lawful for such municipality to obtain repayment by execution on the immoveables of the insane person, or of those who are obliged by law to support or provide for him, whatever may be the amount of the judgment it has obtained."

Application
of certain
articles.

14. Articles 3224, 3228*d* and 3228*e* of the said Statutes apply to every insane patient confined in an asylum since the first of July, eighteen hundred and ninety-two.

Coming into
force.

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

C A P . X X X I I .

An Act to amend article 4055*a* of the Revised Statutes.

[Assented to 27th February, 1893.]

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

R. S., art.
4055*a*, and 55-
56 V.. c. 32, s.
21, repealed.

1. Paragraph 2 of article 4055*a*, as added to the Revised Statutes by the act 55-56 Victoria, chapter 32, section 21, is repealed.

55-56 V., c.
32, not to
apply to cer-
tain students.

2. Students, who were under indenture at the time of the coming into force of the act 55-56 Victoria, chapter 32, are not and are not deemed to have ever been obliged to comply with the provisions of the said act, but they are governed and shall continue to be governed, until their admission to practice the dental profession, by the laws which governed them at the time of the coming into force of the said act 55-56 Victoria, chapter 32.

Coming into
force.

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