

## CAP. XL.

An Act to incorporate "The Western Hospital of Montreal."

[Assented to 28th January, 1874.]

**W**HEREAS the persons hereinafter named and others, by Preamble. their petition, have alleged and shown that a subscription has been set on foot to provide funds for the founding and erecting of a general hospital in the city of Montreal, and that large contributions and donations have been already subscribed in furtherance of said objects, and that others may be expected; and whereas it appears and is shown by said petition, that it is proposed to erect said hospital in some western part of the said city of Montreal, where such an institution is urgently needed; and whereas the said persons hereinafter named and others, have prayed that they may be incorporated for the purposes of this act; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Hiram Mills, William Workman, Henry Mulholland, Corporation. Hugh McLennan, A. W. Ogilvie, George Stacey, Wm. Moccock, Henry Judah, A. F. Gault, William MacDonald, M.D., James Coristine, A. Cantin, C. A. Cantin, J. B. Cantin, C. W. Woodford, R. W. Forsyth, F. Wollerston Thomas, J. Molson, Thomas Cramp, Alex. A. Stevenson, H. D. Cowley, T. Crathern, D. H. Henderson, Henry Starnes, Joseph Tiffin, Henry J. Tiffin, William Gardner, M.D., Horatio A. Nelson, Anthony Kerry, E. K. Greene, George Wilkins, M.D., Francis W. Campbell, M.D., William Smith, E. H. Trenholme, M.D., James Ewan, William Ewan, Joseph Hickson, Jno. L. Hardman, John C. McLaren, C. J. Brydges, Rev. Geo. H. Wells, all of the city of Montreal, esquires., and all such other persons who shall hereafter contribute to the institution hereby created, by a donation respectively of at least twenty-five dollars, and who shall regularly continue to pay annually towards its support, not less than five dollars, and their successors, are hereby created a body corporate and politic at the city of Montreal, in the province of Quebec, Name. under the name of "The Western Hospital of Montreal."

**2.** The said corporation shall have perpetual succession, and Corporate powers. Stat. may have a common seal, with power to change, alter, break, and renew the same as often as they think proper, and the said corporation may, under the same name, contract and be contracted with, sue and be sued, implead and be impleaded, prosecute and be prosecuted, in all courts and places whatever in this province.

Right to hold property.

**3.** The said corporation shall have the right to take, hold, and possess all real or immovable property, and all money or movable property, which may legally have been or may be hereafter given, granted, purchased, appropriated, devised, or bequeathed, in any manner whatever for, to, or in favor of the said "The Western Hospital of Montreal," for the purposes for which the said corporation is hereby created, and upon such terms and conditions not inconsistent with the purposes hereof as the donor or testator thereof may impose; subject, nevertheless, to the restrictions hereinafter imposed.

Limitation.

Provided always, that the immovable property to be held for permanent purposes by said incorporation shall not exceed, in annual value, the sum of twenty thousand dollars, and provided also, that no immovable property bequeathed to the said "The Western Hospital of Montreal," and not intended to be permanently occupied or used by the said incorporation, nor to be leased by them as a source of revenue, shall be retained by the said corporation for a longer period than five years from the acquisition thereof.

Power to sell and lease, &c.

And the said corporation shall have the power to sell and convey, let or lease, the immovable property appertaining to them and not actually required for the purposes of said hospital, as they may deem advisable for the interests of the

Proviso: as to investment of property: &c.

said corporation; provided always, that all moneys, from time to time, to be received by them on account of any real estate by them alienated, or to be alienated, or on account of the capital of any ground rent, or otherwise than by way of contribution not made for investment, shall be dealt with as capital only and not income, and shall be promptly invested, either in buildings or other real estate for the occupation of the said hospital, or in the securities hereinafter mentioned; but no person shall be bound to see to the application of the moneys by him paid to the said corporation.

Purposes of corporation.

**4.** The intents and purposes for which the said corporation is hereby created are declared to be:

The admission and care of sick persons, subject to such limitations and charges as may be hereafter determined upon and settled by the by-laws of the said corporation.

The reception of sick persons as pauper patients, subject to such limitations and regulations as may be determined by the said by-laws.

The granting of relief to persons requiring the same from sudden accident.

The giving of medical advice and medicines to the poor, subject to such regulations as may be determined by said by-laws.

5. The said Hiram Mills, William Workman, Henry Mulholland, Hugh McLennan, A. W. Ogilvie, George Stacey, Wm. Moccock, Henry Judah, A. F. Gault, William MacDonald, M.D., James Coristine, A. Cantin, C. A. Cantin, J. B. Cantin, C. W. Woodford, R. W. Forsyth, F. Wolferston Thomas, J. Molson, Thomas Cramp, Alex. A. Stevenson, H. D. Cowley, T. Crathern, D. H. Henderson, Henry Starnes, Joseph Tiffin, Henry J. Tiffin, William Gardner, M.D., Horatio A. Nelson, Anthony Kerry, E. K. Greene, George Wilkins, M.D., Francis W. Campbell, M.D., William Smith, E. H. Trenholme, M.D., James Ewan, William Ewan, Joseph Hickson, Jno. L. Hardman, John C McLaren, C. J. Brydges, and Reverend Geo. H. Wells, are hereby created Life governor created. life governors for life of the said hospital, subject only to the condition of their contributing and continuing to contribute to its funds the yearly sum of ten dollars or more; but any of them may be declared by vote of the board of governors hereinafter created to have ceased so to be, if at any time two years in arrears for such contribution; and any other persons who shall have contributed by donation to its funds one hundred dollars or more, may be constituted such life governors, by vote of the said board, subject to the like condition of contributing such yearly sum of ten dollars or more; and may, in like manner, be declared by vote of the said board to have ceased so to be, if at any time two years in arrears for such contribution.

6. The said persons, hereinbefore named life governors of said institution, shall administer the affairs of the said corporation, until the first meeting of said corporation, which shall be called within three months after this act has been duly assented to. And it shall be lawful at said first meeting to transact generally any business connected with said corporation, and to elect such numbers of governors, not exceeding six, as may be deemed expedient, to serve for the term of one year, and until their successors shall be elected; and, a like further number, to serve for the term of two years, and until their successors shall be elected; and at every annual election thereafter, a like number, of not more than six elected governors shall, in like manner, be chosen for the like term of two years, and until their successors shall be elected to supply the place of those retiring, who, however, shall always be eligible for re-election, if otherwise qualified; and all persons, donors of any sum under one hundred dollars and more than twenty-five dollars, if also contributors of five dollars or more yearly to its funds, shall be held qualified for election as such governors. Provisional board. Election and composition of the board.

7. In case of the death, resignation, or disqualification of any elected governor, it shall be in the discretion of the Vacancies.

board of governors to name another qualified member of the said corporation to serve in his stead, for the unexpired remainder of the term for which he was elected.

Officers.

8. There shall continue to be elected, by the board of governors, from among themselves, as soon as conveniently may be, after each annual election of governors, a president and two vice-presidents of the said corporation, who shall have such powers and discharge such duties, as by by-law in that behalf, may be ordained, and shall serve for the term of one year and until their successors shall be elected; and in case of the death, resignation, or disqualification of such president or either of the two vice-presidents, the said board, as soon as conveniently may be thereafter, shall elect another of themselves to serve as such for the unexpired remainder of his term of office.

Meetings.

Right to vote.

9. At all meetings of the said corporation, whether the same be general or special, every member thereof, who has paid the current year's subscription, shall be entitled to one vote; and shall further be entitled to an additional vote for every one hundred dollars by him subscribed to the said hospital, beyond the sum of one hundred dollars, and said vote or votes may be given either personally or by written proxies or assignments; provided always, that no subscriber shall be entitled to vote on any sum or instalment for which he is in arrear, and that no single member shall be entitled to more than fifty votes; and all questions shall be determined by the majority of votes given in respect thereof.

Decision.

Powers of the board of governors.

10. The said governors shall alone have power to elect and remove the medical and other officers, attendants and servants of every grade required in and about said corporation, and all such appointments and removals shall be determined by a majority of the votes of the said governors, taken in the same manner and with the same restrictions as is hereinbefore provided by section nine of this act, for observance at the general meetings of said corporation.

Powers of board of governors.

By-laws.

11. The said governors shall have full power in all things to administer the affairs of the corporation, and may make, or cause to be made for the corporation, any description of contract which the corporation may by law enter into; and may, from time to time, make by-laws not contrary to law, nor to this act, to regulate the term of service of the elective directors, the appointment, functions, duties, and removal of all attending physicians, surgeons and apothecaries, and all agents, officers, and servants of the said corporation, the security (if any) to be given by them to the corporation; the time at which and place where the annual meetings of the corporation shall be held, the calling of meetings regular and

special of the board of directors and of the corporation, the quorum, the requirements as to proxies and the procedure in all things at such meetings, the management and disposition of the funds and charities, the imposition and recovery of all penalties and forfeitures, admitting of regulation by by-law; the appointment and duties of a committee of management, to which they may delegate any portion of their own powers, the appointment and removal of clerical lecturers, the attendance of students in medicine at the hospital, the government, limitations, and rules to be observed in the admission of sick persons, the granting of relief to out-door patients, and the conduct in all other particulars of the affairs of the said corporation; and may, from time to time, repeal, amend, or re-enact the same; but every such by-law, and every repeal, amendment or re-enactment thereof, unless, in the meantime, confirmed at a general meeting of the corporation, duly called for that purpose, shall only have force until the next annual meeting of the said corporation, and in default of confirmation thereat shall, at and from that time only, cease to have force; provided always, that ten or more of the members of said corporation, representing at least one-fourth of the whole number of votes, capable of being cast by said corporation, shall have the right, at all times, to call a special meeting thereof, for the transaction of any business specified in such written requisition and notice, as they may issue to that effect; and such by-laws, rules, and regulations shall have the same force and effect as if they were embodied in this act, and copies thereof, under their seal, and purporting to be signed by the president and secretary of the said corporation, shall be received as *prima facie* evidence thereof in all courts of justice. Effect of the by-laws.

**12.** The said corporation may, from time to time, invest Investments. any surplus funds or moneys, appertaining thereto, in bank stock, public securities, including the stock or bonds of the city of Montreal, or in mortgages or hypothecs upon immovable property, but the provisions hereof shall not prevent them from accepting and taking personal security in addition to the security hereinbefore provided for.

## CAP. XLI.

An Act to amend the Act of this province, 34th Vict., Cap. 57, intituled: An Act to incorporate "The Women's Hospital of Montreal."

[Assented to 28th January, 1874.]

**W**HEREAS the members of "The Women's Hospital of Montreal," have, by their petition, represented that it Preamble,