

within this Province for the time being; and the word "Councillor" and the word "Councillors," whenever they occur in this Act, shall be understood as meaning any member or members of the said Council of the City of Quebec, unless by the context it shall appear clearly that the words "Councillor" or "Councillors," respectively, are intended to apply exclusively to a member of the said Council, who is not the Mayor of the said City; and the words "the said Corporation," or "the said Corporation of the City of Quebec," whenever they occur in this Act, shall be understood as meaning the said Corporation of "the Mayor, Councillors and Citizens of the City of Quebec," unless the context necessarily requires a different meaning to be given to these words; and the words "Lower Canada," whenever they occur in this Act, are to be understood as meaning and comprehending that part of the Province of Canada which formerly constituted the Province of Lower Canada; and any word or words implying the singular number, or the masculine gender only, shall be understood to include several matters of the same kind as well as one matter, and several persons as well as one person, and bodies corporate as well as individuals, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Councillors.

Corporation.

LowerCanada.

Gender and number.

XII. This Act shall be held and taken to be a Public Act, and as such shall be judicially taken notice of by all Judges, Justices and other persons whomsoever, without being specially pleaded.

Public Act.

CAP. CVII.

An Act to amend and consolidate as amended, the laws relative to the incorporation of the Trustees of the Kingston Hospital.

[Assented to 1st July, 1856.]

WHEREAS it is expedient to amend the laws relative to the incorporation of the Trustees of the Kingston Hospital and to consolidate the same as amended: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. The Act passed in the Session held in the twelfth year of Her Majesty's Reign and intituled, *An Act to incorporate the Trustees of the Kingston Hospital*, shall be and is hereby repealed.

12 v. c. 103. repealed.

II. From and after the passing of this Act, the Mayor of the City of Kingston, for the time being, the Warden of the United Counties of Frontenac, Lennox and Addington, for the time being, the Judge of the United Counties of Frontenac, Lennox and

How the Corporation shall be constituted.

and Addington, for the time being, the Sheriff of the United Counties of Frontenac, Lennox and Addington, for the time being, one of the Medical Professors of "Queen's College" to be nominated annually by the Senate thereof, James Sampson, M. D., the Honorable John Macaulay, the Honorable John Alexander Macdonald, John R. Forsyth, Thomas Kirkpatrick, John Watkins, James Hopkirk, Thomas Askew, John Paton, William G. Hinds and James Harty, Esquires, and their successors in the manner hereinafter mentioned, shall be, within the meaning of the "Interpretation Act," a body corporate, by the name of the "Governors of the Kingston Hospital," and as such, shall, besides the powers by the said last mentioned Act conferred upon bodies corporate or Corporations, have power to hold the said Hospital and all the land held by or vested in the Trustees of the said Hospital, under the Act hereby repealed or in any manner whatsoever, all which and all property now vested in the Trustees of the said Hospital, shall be and are hereby vested in the Corporation as hereby constituted, which shall in law be the same Corporation with that created by the Act above cited and repealed, and shall and may be capable of receiving, taking and holding from Her Majesty, or from any person or persons, or any body corporate or politic, by grant, devise or otherwise, any lands, or interest in lands, or any goods, chattels or effects, which Her Majesty or any such person or persons, body corporate or politic, may be desirous of granting or conveying to them for the use and support of the said Hospital or for the endowment thereof.

General powers.

Hospital, &c., vested in it.

Governors of the Hospital constituted.

III. The eleven persons named aforesaid, and any person who may have paid, or may hereafter pay the full sum of twenty-five pounds towards the support or endowment of the Hospital, and continue to pay thereafter, the sum of one pound yearly, on or before the first day of November in each year, shall be and are hereby made Governors of the said Hospital; and the aforementioned eleven persons shall hold office during life; and the Governors other than the eleven persons aforesaid shall hold office so long as their annual subscriptions shall be regularly paid.

Governor to be informed of vacancies among the 11 Governors.

IV. If any one of the said eleven Governors shall die, remove from the county, resign office, or become incapable of acting from any cause, his said office shall thereby become vacant, and it shall be the duty of the Secretary to the Board of Governors (to be appointed as hereinafter provided,) to communicate such fact to the Governor of this Province.

How such vacancy shall be filled.

V. In the event of any vacancy, as in the last section mentioned, it shall and may be lawful for the Governor of this Province, in Council, to supply the said vacancy within three months after the Secretary shall communicate, as aforesaid, the fact of such vacancy, and if the said vacancy be not supplied by the Governor in Council within the period aforesaid,

it

it shall be lawfull for the Board of Governors, to proceed, at their first Annual Meeting thereafter, to the election, by ballot, of one Governor to fill each such vacancy as aforesaid.

VI. It shall and may be lawful for the Board of Governors, from time to time, to make By-laws and Rules, for the admission into, and for the internal management and regulation of the said Hospital, or for the leasing or management of such of the lands or property of the said Hospital as may not be required for the immediate use thereof, and generally to make such By-laws and Rules for the internal management and regulation of the said Hospital, as shall to them seem meet and expedient: Provided always, that such By-laws or Rules shall be laid before the Governor of this Province, in Council, for his approval, within thirty days after the same shall have been made or adopted, and may be by him disallowed within one month after the same shall be received when transmitted by the said Board of Governors; And provided always, that if no notification of approval or disapproval be received by the said Board within one month after the same shall have been transmitted to the Governor in Council, then such By-laws and Rules shall be deemed to have been approved, and shall then forthwith be in force.

Governors to make By-laws for certain purposes.

Proviso: for approval of By-laws.

Proviso.

VII. Any five of the said Governors shall form a quorum for the transaction of business.

Quorum.

VIII. The annual general meeting of the Board of Governors shall be held on the first Monday of November in each and every year: The first meeting to be held on Wednesday, the fifth day of November, in the year one thousand eight hundred and fifty-six.

General meeting.

First meeting.

IX. The said Governors shall at each Annual Meeting to be held as aforesaid, appoint a Chairman to hold office for the then ensuing year; the Chairman of the preceding year shall hold office till the appointment of his successor.

Appointment of Chairman.

X. The said Board of Governors shall have power to appoint a Secretary and such other officers for the proper management of the Hospital as they shall consider necessary, with power to remove the said Secretary or any such officer at pleasure, and to appoint another or others in his or their places.

Appointment of Secretary, &c.

XI. It shall be the duty of the Clerk or Secretary, to attend all meetings of the Board and to keep minutes of their proceedings, and to communicate vacancies as hereinbefore provided, and generally to perform such other duties as may be prescribed by the Board in a By-law for regulating his office.

Duties of Secretary.

XII. It shall be the duty of the said Board of Governors to invest in good, safe and sufficient securities, all moneys which may

Governors to invest Hospital moneys.

may at any time come into their hands, for the use and support of the said Hospital, which may not be required for the immediate expenditure of the same; and from time to time, when required so to do by the Governor of this Province, to render an account in detail of all moneys received by them as Governors of the said Hospital, specifying the sources from which the same have arisen or been received, and the manner in which the same have been invested or expended, and all such particulars as may be necessary to shew the state of the funds or endowment, if any, of the said Hospital; and the said Board of Governors shall also lay an annual statement of the affairs of the Hospital before both Houses of the Legislature, within thirty days after the commencement of each session.

To account to
Governor of
this Province.

Reports to
Legislature.

Additional
powers to
Board of Go-
vernors.

XIII. The said Board of Governors, by the corporate name aforesaid, shall have, in addition to the powers conferred by the "Interpretation Act" aforesaid, power to distrain for any rent or rents of any lands or buildings, or any account whatever, and to distrain for rents when the same are in arrear and unpaid, and to act in all matters touching the collection and control of the funds of the said Hospital, and the management and disposition of any lands belonging to the same, as shall appear to them to be most conducive to the interest of the said Hospital.

Medical Stud-
ents may visit
the Hospital.

XIV. It shall and may be lawful for any Medical Student in the said City of Kingston to visit the wards of the said Hospital and attend them, upon the payment of such fees, and under such regulations and instructions as the said Board of Governors shall and may by any By-law from time to time direct and appoint, and with the sanction of the attending medical Officers.

Existing con-
tracts not af-
fected.

XV. Neither the repeal of the Act hereinbefore repealed, nor the change hereby made in the corporate name of or in the composition of the Corporation thereby constituted and hereby continued, shall in any wise affect contracts or any proceedings heretofore *bonâ fide* made or had pursuant to the provisions of the said Act, or any other Act relating to the said Hospital.

Public Act.

XVI. This Act shall be deemed a Public Act.

Interpretation.

XVII. The Interpretation Act shall apply to this Act, except wherever the provisions of this Act are inconsistent therewith.