

Laws of Her Majesty's Province of Upper Canada, passed in the year 1849. Montreal: Stewart Derbyshire & George Desbarats, 1849.

12 Victoria – Chapter 103

An Act to incorporate the Trustees of the Kingston Hospital. 30th May, 1849.

Whereas the inhabitants of the City of Kingston and the Midland District, being from their position, constantly called upon to supply the necessities and relieve the condition of sick and destitute Emigrants and other transient persons, and the mariners of the Lakes, it is most desirable that the Hospital at Kingston should be incorporated in order that it may be conducted in a more efficient manner: And whereas the Parliament of the late Province of Upper Canada, in the second year of His late Majesty's Reign, did pass an Act granting the sum of three thousand pounds "in aid of the erection and completion of an Hospital in or near the Town of Kingston for the reception of the destitute sick," in the Preamble of which Act it is stated that the inhabitants of the Town of Kingston have subscribed a large sum of money towards the erection of an Hospital in or near that place And whereas by the said Act, three Commissioners were appointed "for superintending and managing the erection and completion of the said Hospital and for purchasing the site thereof," who did afterwards proceed to erect the said Hospital: And whereas in the seventh year of his said late Majesty's Reign, the said Parliament did grant a further sum of five hundred pounds for furnishing and fitting up the said Hospital, which was expended for the purpose: And whereas the said Commissioners having discharged their duty by the erection, furnishing and fitting up of the said Hospital, it is proper to relieve them of their charge, and to establish a Corporation, to be composed as hereinafter provided, for the better management and disposition of the lands and property now or hereafter to be held in trust for the said Hospital, and for the better management of any portion of the Marriage License Fund which' may be appropriated by the Governor to the said Hospital under the Statute of this Province passed in the ninth year of Her Majesty's Reign, intituled, *An Act to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund*, and to make such Rules and By-laws for the internal or other management and regulation of the said Hospital, as shall, from time to time, seem to them expedient and necessary: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Mayor of the City of Kingston for the time being, the Judge of the Midland District Court for the time being, the Warden of the Midland District for the time being, the Sheriff of the Midland District for the time being, and such three Aldermen of the City of Kingston as shall from time to time as hereinafter mentioned be elected, for the purpose by the City Council of the said City, shall be a body corporate by the name of The Trustees of the Kingston Hospital, and as such shall have perpetual succession and a common seal, and have and hold all such land as is now attached or adjacent to the said Hospital, or in connection therewith; 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 the endowment thereof; and also shall and may from time to time make such By-laws and Rules for the admission into, and 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, as shall to them seem meet and expedient: Provided always, that such By-laws or Rules shall be laid before the Governor General or Person administering the Government of this Province in Council, within thirty days after the same shall have been made and adopted, and may be by him disallowed within one month after the same shall be transmitted to him by the Trustees.

II. And be it enacted, That it shall be lawful for the said City Council of the City of Kingston, immediately after the passing of this Act, and thereafter in the month of January in each and every year beginning with the year one thousand eight hundred and fifty, to elect any three of the Aldermen of the said City to be Trustees under this Act; and the Aldermen so at any time elected, or the survivor or survivors of them shall continue in office as such Trustees until the end of the month of January next following their election, or until the election of their successors as aforesaid, whichever event may soonest happen.

III. And be it enacted, That any four of such Trustees shall form a quorum for the transaction, of business.

IV. And be it enacted, That the said Trustees shall have power to appoint a Clerk or Secretary, who shall keep regular minutes of their proceedings, and such other officers for the proper management of the Hospital as they shall consider proper, and to remove him, her or them at pleasure, and appoint others in their places.

V. And be it enacted, That it shall be the duty of the said. Trustees to invest in good, safe and sufficient securities, all moneys which 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 General or Person administering the Government in Council, to render an account in detail of all moneys received by them as such Trustees, 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 Trustees shall also lay an annual statement of their affairs before both houses of the Legislature, within thirty days after the commencement of each Session.

VI. And be it enacted, That the said Trustees, by the name aforesaid, shall have power to sue in any of the Courts in this Province having competent jurisdiction, for any cause of action touching the property of the said Trustees, and for any moneys due or payable to them or their predecessors for the rent or rents of any lands or buildings, or on 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 to them or a majority of them shall appear most conducive to the interests of their trust; and no individual of the said Trustees shall be held responsible for any act or acts of the said Trustees which shall be done or determined upon at any meeting at which he shall not have been present, or from which he shall dissent, provided such dissent be entered and signed by him on the minutes to be kept as aforesaid.

VII. And be it enacted, That 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 Trustees shall and may by any By-law from time to time direct and appoint.

VIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially noticed as such by all Judges, Justices of the Peace and others, without being specially pleaded.