

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 224

An Act to incorporate the Victoria Hospital. Assented to 19th May, 1855.

Whereas a large number of public spirited persons, influenced by principles of benevolence, have associated themselves together for the purpose of erecting a Protestant Hospital in the city or neighbourhood of Quebec, to be called the Victoria Hospital, and have liberally subscribed towards the same; And whereas James Gibb, Henry John Noad, Charles Gethings, John Munn, Angus McDonald, John Musson, George Benson Hall, William Eadon, Noel Hill Bowen, Henry Stewart Scott, Sir Henry John Caldwell, Bart., Jeffery Hale, John Thomson, Henry Atkinson, James Simpson Hossack, John Gilmour, Alexander Carlisle Buchanan, John Henry Clint, Christian Wurtele, and George Veasey, have by their Petition prayed to be incorporated in order to the more certain and efficacious attainment of the useful and praise-worthy objects for which they have thus associated themselves, and it is expedient to grant their prayer: 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, and 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, as follows:

I. The persons above named and all such other persons as now are or shall, under the provisions of this Act, be or become Members of the said Association, shall be and they are hereby declared to be a body politic and corporate in deed and in name by the name of the Victoria Hospital, and by that name shall have perpetual succession and a common seal, and shall have power from time to time to alter and renew or change such common seal at their pleasure, and shall by the same name from time to time and at all times hereafter be able and capable to acquire, hold, possess and enjoy for the purposes of this Act, by purchase, donation, bequest, demise or otherwise, any moveable property whatsoever, and also any real or immoveable property and estate, lying and being within this Province, and requisite and necessary for their actual use and occupation, and the same to sell, alienate and dispose of as they shall consider for the advantage and interest of the said Corporation, and to purchase and acquire others in their stead; And by the same name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered unto in all Courts of Law and Equity and places whatsoever, in as large, ample and beneficial a manner as any other body politic or corporate, or as any persons may and can do in any manner whatsoever, and shall have power and authority to make and establish such By-laws, rules and regulations, not being contrary to this statute or to the laws in force in this Province, as shall be deemed useful or necessary for the interests of the said Corporation or for the management thereof, and for the admission of members into the said Corporation; and from time to time to alter and amend, repeal or change the said By-laws, rules and regulations, or any of them, and shall and may do, execute and perform all and singular other the matters and things relating to the said Corporation and the management

thereof, or which shall or may appertain thereto, subject nevertheless to the rules, regulations, stipulations and provisions hereinafter prescribed and established.

II. There shall be for ever hereafter belonging to the said Corporation, as many Governors for life of the said Hospital as there shall be persons professing the Protestant faith who have contributed or shall contribute thereto by donation respectively, the sum of one hundred pounds or upwards, or who have contributed or shall contribute thereto by donation respectively, at least fifty pounds currency, with an annual payment of three pounds currency or more, and the persons so contributing shall be such Governors for life; and there shall be nine other Governors thereof, who shall be annually elected, in manner hereinafter prescribed, from among those persons professing the Protestant faith who have contributed or shall contribute thereto by donation respectively, at least twenty-five pounds currency, with an annual payment of not less than twenty-five shillings currency, which persons so contributing and paying as last aforesaid are hereby declared qualified to be elected Governors; which Governors for life, and those so elected, shall appoint out of their number one President and two Vice-Presidents, and also, out of their number or otherwise, one Treasurer and one Secretary, and shall conduct and manage the affairs and business of the said Hospital and Corporation for the current year, in manner as hereinafter is declared and appointed.

III. All persons whosoever who have contributed or shall contribute to the said Hospital by donation respectively, five pounds currency or upwards, with an annual payment of twenty-five shillings currency or upwards, as well as all persons who have contributed or shall contribute thereto fifty pounds currency or upwards, without an annual subscription, shall be members of the said Corporation, and shall be entitled to vote at any General or Special Meeting of the members of the said Corporation, in the ratio following, that is to say: One vote for every live pounds of list: amount of their respective donations; Provided always, that no member shall have upwards of ten votes.

IV. Within three months after the passing of this Act, the members of the said Hospital and Corporation being the persons contributing and paying ns aforesaid, shall meet at some convenient place in the said City of Quebec, (public notice of the hour and place of meeting having been given in one or more of the newspapers published in Quebec at least seven days before,) and then, by the majority of such of them as shall so meet, reckoning their votes in the ratio of the contributions actually paid, but. so as that no member of the Society or Corporation shall have more than ten votes, shall, by ballot, elect and choose nine of their Members qualified as aforesaid to be Governors, — which Members of the Society or Corporation so qualified and elected shall be Governors of the said Hospital and Corporation for the lime to elapse from the period of the said Election so to be had as aforesaid, until the Annual Genera! Meeting of the members of the said Corporation, which shall thereafter be held on such day in the month of January in every subsequent year as may hereafter be established in and by the By-laws of the said Corporation, and with the President and Vice-Presidents by them appointed shall immediately enter upon their respective offices and duties and hold, exercise and enjoy the same respectively from the time of such elections and appointments for and during the then current year, and until the General Annual Meeting in the month of January then next following, and until other fit persons shall be

elected and appointed in their respective places according to the By-laws and regulations aforesaid.

V. A General Meeting of the Members of the said Corporation shall be held in the month of January in every year on such day as may be fixed by the By-laws of the said Corporation for the election of nine Governors, or such proportion of the said number of nine elected Governors of the Corporation as may be required to go out by rotation annually, according to the By-laws of the said Corporation, in place of those previously elected or retiring as aforesaid; and at such General Annual Meeting all business connected with the affairs of the said Corporation may be transacted.

VI. In case any of the said persons so elected and appointed to the respective offices abovesaid, or who shall be hereafter elected and appointed thereto, shall die or be removed from such offices respective]]7 before the time of their respective appointed services shall be expired, or shall refuse or neglect to act in and execute the office for which he or they shall be so elected and appointed, the other Governors of the said Corporation resident within the District of Quebec, or the majority of them, shall appoint, a member or members thereof duly qualified, in the place and stead of him or them so dying, removed or refusing or neglecting to act, within sixty days next after such contingency, who shall serve until the General Annual Meeting in January next following.

VII. The President of the said Corporation for the time being, and in case of a vacancy in the said office, either of the Vice-Presidents, shall and may from time to time, and as occasion may require, summon and call together at such places within the City of Quebec as by any By-law shall be appointed for such meetings, and on such days and hours as the President or Vice-President shall respectively think proper, the Governors of the said Corporation and Hospital, for the time being, giving them at the least one day's previous notice thereof; and any five or more of the Governors of the said Corporation being so convened together, of whom the President, or in case of a vacancy in the said office or the sickness or absence of the President, one of the Vice-Presidents for the time being, shall always be one, shall forever hereafter be a legal meeting of the said Corporation, and they or the major part of them so met, shall have full power and authority to adjourn from day to day or for any other time as the business of the said Corporation may require, and to execute, transact, manage and perform in the name of the said Corporation, all and every act and thing whatsoever which the said Corporation is or shall by virtue of this Act be authorized to do, transact, manage and perform, in as full and ample a manner as if all and every the Governors and members of the said Corporation were present and consenting thereto, saving and excepting always the electing of Governors, unless upon vacancies as aforesaid happening in the intervening period between general elections, and also saving and excepting the giving, granting, selling or otherwise aliening any of the estate, real or personal, of the said Corporation, and the leasing, demising or disposing of the lands, tenements, hereditaments, real or mixed, of the said Corporation for any longer time than one year, no part whereof shall be so sold, leased or in any wise aliened for any longer term or time but by and with the concurrence and approbation of the majority of the Governors of the said Corporation resident within the District of Quebec, for the time being, first obtained at any legal meeting of the same; And further, at any such legal meeting

of any five or more of the Governors of the said Corporation, of whom the President or one of the Vice-Presidents

for the time being shall always be one, it shall and may be lawful for them, in writing, under the common seal of the said Corporation, to make, establish and ordain from time to time and at all times hereafter, such by-laws, rules and regulations for the better government of the officers, members and servants of the said Corporation and of the patients from time to time admitted into the said Hospital; for fixing and ascertaining the place of meeting of the said Corporation, and the days and times of election before mentioned; and for regulating the mode and manner of making such elections, the management and disposition of the funds and charities and all other the business and affairs of the said Corporation, as they or the major part of them, so legally met, shall judge best for the general good of the said Corporation, and profitable for promoting the charitable and beneficial designs of the said Corporation, and the same or any of them to alter, amend or repeal from time to time as they or the major part of them so met as aforesaid, shall judge most conducive to the benefit of the said charity; Provided such By-laws, rules and regulations be not repugnant hereto or to the laws of this Province: And the said Governors for the time being, or any five or more of them legally met as aforesaid, of whom the President or one of the Vice-Presidents for the time being shall always be one, shall have the full and sole power and authority for ever hereafter, by the majority of their voices, from time to time yearly and every year, to nominate such and so many physicians, surgeons and apothecaries as they shall judge necessary to attend the said Hospital and the sick and diseased patients from time to time admitted therein; and to appoint and designate the respective powers, authorities, business, trusts and attendances of the said physicians, surgeons and apothecaries, and also to appoint a steward, a matron, a nurse or nurses, and all other servants and attendants upon the said Hospital with the respective powers, authorities, business, trusts and attendances, with the allowances that shall be found necessary from time to time to be made and paid to any of the persons above said, for their attendance and services respectively in the said Hospital; and to displace and discharge any steward, matron, nurse, servant and attendant from the service thereof, and to nominate and appoint other or others in Their place or stead; and when and as often as any President Vice-President, Governor, Treasurer, Secretary, Physician, Surgeon or Apothecary of the said Corporation shall become unfit or incapable to execute their said offices, respectively, or shall misdemean themselves in their said offices respectively, contrary to their duty and to any of the by-laws and regulations of the said Corporation, or refuse or neglect the execution thereof, and thereupon a charge or complaint in writing shall be exhibited against him or them by any member of the said Corporation at any legal meeting of the Governors thereof as aforesaid, it shall and may be lawful for the President or one of the Vice-Presidents and Governors, or the major part of them then met, or at any other legal meeting of the said Corporation, from time to time, and upon examination and sufficient proof, to suspend or discharge such President, Vice-President, Governor, Treasurer, Secretary, Physician, Surgeon or Apothecary from their offices respectively, although the yearly or other time of their respective services shall not be expired, any thing in this present Act before contained to the contrary notwithstanding: Provided always, that, none of the said officers so complained against, be suspended or discharged at any meeting without the concurrence and approbation of the majority of the Governors of the said Corporation resident within the District of Quebec, for the time being, nor without having been furnished with a copy of

the complaint or charge against him, at least six days before such examination, and an opportunity furnished him to be fully heard in his defence.

VIII. The said Corporation shall be bound to make Annual Returns to the Governor, or person administering the Government of this Province for the time being, shewing the amount of their receipts and expenditure during the last preceding year, and of the real and personal estate held and enjoyed by the said Corporation.

IX. A copy of the By-laws of the said Corporation, certified by the Secretary thereof for the time being, shall be received and taken as evidence of such By-laws in every Court of Justice.

X. This Act shall be deemed a Public Act.