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# ACT OF INCORPORATION 

AND

BY＝I」AWE

OF THE
WESTERN HOSPITAL，

OF MONTREAL．
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## ACT OF INCORPORATION

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BY-LAWS

OT THE

# WESTERN HOSPITAL, 

OF MONTREAL.

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printed br.the lofell printing and publishing company: .1875.

# OFFICERS: <br> 1875. <br> ほresident. <br> MAJOR H. MILLS 

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## ACT OF INCORPORA'TION.

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

[Assented to 28th January, 1874.]

WHEREAS the persons hereinafter named and others, by 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 persous hereinafter named and othera, 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, Hugh McLennan, A. W. Ogilvie, George Stacey, Wm. Mocock, Henry Judah, A. F. Gault, William MacDonald, M.D., James Coristine, A. Cautin, 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, Rev. Geo. H. Wells, all of the city of Moutreal, esquires, and all suct other persons who shall hereafter contribute to the institution hereby created, by a donation respectively of at last tiventy-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 bolly corporate and politic at the city of Montreal, in the province of Quebec, under the name of "The Western Iospital of Montreal."
2. The said coporation shall have perpetual succession, and 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 impleaderl, prosecute and be prosecuted, in all courts and places whatever in this province.
3. The said corporation shall have the right to take, hold and possess all real or inmovable 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 he, eof as the donor or testator thereof may impose; subject, nevertheless to the restrictions hereinafter imposed.

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 thousund 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.

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 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 hound to see to the application of the moneys by him paid to the said 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 a.etmay be determined by said by-laws.

क. The said Hiram Mills, William Workman, Henry Mulholland, Hugh McLennan, A. W. Ogilvic, George Stacey, Wm. Mocock, Henry Julah, A. F. Gault, William MacDonald, M.D., James Coristine, A. Cantin, C. A. Cantin, J. 13. 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. Campell, 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 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 arrear for such contribution.
6. The said persuns, hereinbefore named life governors of said institution, shall administer the affairs of the said corporation, until the first meeting of said corporation, which ahall be called within three months after this act has been duly assented to. And it shall be lawful at said first meeting to transact gencrally my 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 ammal election thereafter, a like number, of not more than six elected governors shall in like manner, be chosen for the like term of s:yo years, and until their surcessors shall be elected to supply the place of those retiring, who, however, shall always e eligible for retelection, if otherwise qualified; and all persons, donors of any sum mider one hundred dollars and more than twenty-five dollars, if also contributors of five dollars or more yearly to it. funds, shall be held qualified for election as such governors.
7. In case of the death, resignation, or disqualification of any elected governor, it shall be in the diseretion of the board of governurs 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.
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 suci 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 disoualification 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.
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 entitied to an additional vote for
every one handred dollars by him subscribed to the said hospital, begond the stm of one hundred dollars, and said vote or votes may be given either persomally or by written proxies or assigmments; provided always, that no subscriber shall be entitled to vote on any sum or instalment for which he is in arrear, fond 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.
10. The said governors shall alone have power to eleet and remove the medical and other officers, attendants and sercants of every grade required in and abont 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 heremfore provided by section nine of this act, for observance at the general meetings of said corporation.
11. The said governors slatl have full power in all things to administer the afthins of the corporation, and may make, or cause to be made for the corporation, any lescription of contract which the corporation may by law enter into ; and may from time to time. nake by-laws not contrary to law, nor to this act, to regnlate the term of service of the eleative directors, the appointment, functions, daties, 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 give. by them to the corporation; the time at which and phace where the amual meetings of the corporation shall be lich, the calling of meetings regnlar 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 forfeinses almitting 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 clenical lecturers, the attendance of students in medicine at the hospital, the govermment, limitations, and rules to be observed in the admission of sick persons, the grauting of relief to out-door patients, and the conduct in all orher particulars of the affairs of the said corporation; and may, from time to time, repeal, amend, or reenact the stme; but every such by-law, and every repeal,
amendment or re-enactment thereof, unless, in the meantine, confirmed at a general meeting of the corporation, duly called for that purpose, shall only have force intil 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 busiress 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 primé facie evidence thereof in all courts of justice.
12. The said corporation may from time to time, invest any surplus funds or moneys, appertaining thereto, in bank stock, public securities, inclading the stock or bonds of the city of Montreal, or in mortgages or hyp hecs upon immovable property, but the provisions her. shall not prevent them from accepting and taking personal security in addition to the security hereinbefore provined for.

## BV LAWS

OF THE
WESTERN HOSPITAL OF MONTREAL.
Adopted at a meeting of the Governors, held in the Mcchanics Ifall, 21st April, 1875.
I.

OFFICERS OF THE CORPORATION.

President.
Two Vice-Presidents. Secretary.

Treasurer.
Board of Directors. Medical Board.
II.

CORFORATION.

1. The annual meeting of the Corporation for the election of Governors and other business, shall be held on the second Tuesday of May in each and every year; the notice of the hour and place of meeting shall be given by the Secretary, in one or more of the daily newspapers published in Montreal, at least five days previous to such meeting.

The seal of the Corporation shall have excircling the border the words, Western Hospital of Montreal-and in the centre of the seal, the words incorporated 1874.
III.
governors.

1. The Governors for Life and the Elected Governors shall meet on the Thursday next after the annua! meeting of the Corporation, at three p.m., to elect the officers of the Corporation for the ensuing year.
2. A quarterly meeting of the Governors shall be held at such place as they may determine, on the firs.' Tuesday in August, November, February and May, in each and every
year, at three o'clock p.m., or at such other hour as may be named in the notice.
3. If any vacancy, either Medical or otherwise, oceur at any time in the Hospital, said vacancy sliall be filled up at the ensuing quarterly moeting of the Board of Governors, or at a special meeting of the said Board, called by public notice in either case for tha: purpose.
4. Two of the Governors shall, in rotation, visit the Hospital at least twice a week ; and shall enter their names in a book, with such observations relating to the Hospital as they may think necessary.
5. Goveruers, members of the Medical professiou shall not be eligible for cffice except on the Medical Board.
IV.

## PRESIDENT AND VIOE-PRESIDENTS

1. The President, or, in his absence, one of the VicePresidents, shall preside at all meetings of the Corporation or Governors ; and in the absence of both the President and VicePreside its, a chairman, pro iempore, shall be appointed by the meeting.
2. Mectings of the Board of Governors may at any time be called by the President, or in his absence by thes Senior VicePresident.
3. At all meetings of the Governors, every person, when speaking, shall address the President or Chairman, who shall propose all questions. If a difference of opinion exists on any question, such question shall be fairly stated by the President and then determined by vote; in the event of the votes being equal, the President shall have the casting vote.

## V.

SELLING OR ACQUIRING rEAL ESTATE.

1. All contracts shall be signed by the President, or in his absence by either of the Vice-Presidents, and shall be rounter-
signed by the Secretary; but no contract shall be executed until approved of by the Board of Directors.
2. All checks, bills and notes shall be signed, accepted and endorsed by the President, or in his absence by either of the Vice-Presidents, and shall be countersigned by the Treasurer.
3. The President, or, in his absence, one of the VicePresidents, together with the Treasurer, shall have custody of all bonds, title-deeds securities, and other papers relating to the property of the Corporation.

## VI.

## SECRETARY.

1. The Secretary shall attend all meetings of the Governors, take minutes of the proceedings, transeribe them into a book, and furnish such reports as the Governors may require.
2. At each meeting of the Governors he shall read the minutes of the last meeting.
3. Official communications, shall be made through him; except the report of the Medical Board, or such as may be more properly communicated to the President.
4. He shall, immediately afte: the election of Governors or Officers of this Hospital, notify in writing such persons of their election.
5. At least three days previous to each and every meeting of the Governors, it shall be his duty to send notice of the time and place of such meetings to each Governor, stating the purpose of the meeting.
6. He shall, seven days before any election of Governors, hang up a notice in the Governors' room, and shall state therein the names of the persons qualified to be elected, as well as those gualified to be Electors.
7. He shall lay upon the table, at every meeting of the Governors, the Journal or minutes of their proceedings; the book containing the observations of the Visiting Governors; and any other document relating to the affairs of the Corgoration which may be required.
VII.

TREASURER.

1. The Treasurer shall give such security as may be required by the Governors.
2. He shall receive all monies belonging to the Corporation, and immediately deposit the same to the credit of the Hospital in one of the chartered banks of the City approved of by the Board of Directors; and payments may be made by check, signed by the Chairman of the Board of Directors and countersigned by the Treasurer.
3. He shall deliver to tine Secretary, three days at least previous to the annual meeting of the Corporation, in each and every year, a full statement of all his accounts, ceitified by auditors duly appointed.
VIII.

BOARD OF DIRECTORS.
I. The Hospital shall be managed by a board of Fifteen Directors, who shall be elected by the Board of Governors from among its members to serve one year, and until successors are appointed, and they shall be eligible for re-election. The President and Secretary of the Board of Governors shall act respectively as Chairman and Secretary of said Board of Directors.
2. They shall meet at the Hospital at least once a week, and inquire strictly into its domestic economy, and order whatever may be necessary to its proper administration.
3. They shall inquire into the conduct of the officers, matrons, stewards and servants; order all repairs; oversee and control everything connected with the management of the Hospital ; inspect and approve of all aec ounts before ordering their payment; and report through the Sacretary of the Corporation a statement of all their transactions to each quarterly meeting of the Governors.
4. They shall have the power to engage and diseharge all servants of the Hospital and to fix their wages.
5. 'i'his Institution sinall be strictly a Temperance Hospital.

No alcoholic liquors or intoxicating fluids shall be brought in, drunk or used in said Institution except for Medicinal purposes; and then only when specially prescribed by the Physician, and in small quantities from time to time as may be needed, and any person breaking or infringing this Prohibition shall on conviction before the Board of Directors be removed from this Institution.
6. All orders to the Steward for the purchase of stores must be inserted in a book provided for the purpose, and be signed by at least one member of the Board of Directors.
7. When a vacancy occurs in the Board of Directors the remaining members may elect from the Board of Governors a person to fill the vacancy for the unexpired term.
8. The Secretary of the Board shall lay on the table at every meeting of the Directors, the book containing the minutes of their proceedings.

## IX.

THE MEDICAL BOARD.

1. The Medical Board shall consist of Consulting Physicians, eight Attending Physicians, and four Assistant Attending Physicians.
2. The Medical Board shall, at their first meeting after the annual meeting, appoint from among themselves a Chairman and Secretary.
3. The Attending Physicians shall so arrange among themselves that the Hospital be visited every day by two of their number.
4. The Assistant Physicians shall so arrange that one of their number shall attend the Hospital daily to prescribe for the out-door patients.
5. No Physician shall be eligible for office who is not a graduate of a British University, or a licentiate of a College of Physicians in the British Dominions of at least three years standing.
6. Any Attending Physician after ten years service is eligible for the office of Consulting Physician to the Institution.
7. The visiting hour for the medical officers shall be 12 o'clock noon each day, except Sundays, when it shall be optional.
8. In all surgical cases requiring operations, except in emergencies where delay might be dangerous, and in medical cases when desired, a consultation of the whole Medical Board shall be summoned.
9. Members of the Medical Board shall have full power at all times to visit and examine the Apothecary's shop.
10. The Medical Board shall examine all candidates for the situations of House Physician, Assistant House Physician and Apothecary, and communicate to the Board of Directors, in writing, through their Secretary, their opinion of the candidates.
11. The Attending Physicians shall have the power to admit or discharge any patient, but shall be amenable for his action to the Board of Directors, and also to select their own dressers and clerks from among the students.

## X.

HOUSE PHYSICIAN AND ASSISTANT HOUSE PHYSICIAN.

1. The office of House Physician or Assistant House Physician slaall be without salary and tenable for one year only; neither officer shall be permitted to engage in outside practice.
2. The House Physician shall visit all the patients in the Hospital, morning and evening, or oftener if required by the Attending Physician; and shall take charge of all cases of serious disease or accident admitted after the visit of the Attending Officer until the next visit of such officer.
3. He shall report daily to the Attending Physician the state of patients since the last visit.
4. He shall in cases of an urgent nature summon the Attending Physician, or if such officer cannot be found, the nearest member of the in-door staff.
5. The House Physician and Assistant House Physician shall be in the Hospital during the visits of the Attending Physicians; and at no time shall they be simultaneously absent.
wards as are assigned to him by the Attending Physician, and shall visit these at least once every morning and evening, and oftener when required; and in the event of his observing any sudden or unfavourable change in any of the patients in his wards, he shall immediately notify the House Physician to that effect.

## XI. <br> APOTHECARY.

1. The office of Apothecary shall be tenable for one year only unless re-elected.
2. He shall be selected from among Sti dents who have attended at least two sessions, at a medical school, and such candidate shall furnish the Board of Directors, previous to his election, with satisfactory evidence of his having been examined and approved of by the Medical Board.
3. He shall regularly attend, and have charge of the Apothecary shop, keeping everything belonging thereto clean and in proper order; he shall compound, prepare, and dispense all the medicines required for the purposes of the Institution.
4. He shall deliver to the nurses of the wards the medicines, \&c., ordered for the patients, and shall see that the directions for their administration are printed, or legibly written, and affixed to each phial, box, or parcel.
XII.

STUDENTS.

1. The fee for a Student's annual ticket shall be $\$ 10.00$

For six months ticket. . . . . . . . . . . . . . . . . . . . 6.00
Perpetual ticket. . . . . . . . . . . . . . . . . . . . . . . . 15.00
and no Student will be permitted, under any circumstances, to attend the Hospital previous to procuring his ticket.
2. Students in attendance during the visit of the Medical Officers must behave with decorum, and avoid everything that may tend to disturb Physicians, Clerks, or Patients.
3. When visiting the wards they must not offer any advice, or express any opinions, unless requested to do so by the Attending Physician.
4. In the Operating Theatre Students must confine themselves to their seats, so as not to obstruct the view of others; avoid changes of seats, and all noises, as mpleasant to the operator and injurious to the patient.
5. Any Student infringing any of the above rules shall forfeit the benefit of his tirket, and the privilege of attending the Hospital.
XIII.
admission of patients.

1. Applicants for admission shall present themselves when possible at the Hospital between the hours of 11 and $12 \mathrm{a} . \mathrm{m}$. Severe cases shall be received at any hour.
2. No patient can be admitted whose disease is considered incurable, or who is insane, or whose case does not require the particular benefit of in-door attendance.
3. No woman advanced in pregnancy shall be admitted as an in-doo: patient unless the sulject of serious accident or some disease endangering her life and requiring imnediate care and treatment.
4. Patients able to pay twenty-five cents or more per day may be admitted as pay patients.
5. No patient,-except immigrants and seamen,-residing outside of the city of Montreal will be admitted for less than one dollar and seventy-five cents per week. In special cases the Board of Directors may deviate from this rule, but shall report the same to the Grovernors at their first meeting.
6. Persons the subject of venereal disease shall pay at least two dollars per week, and shall be called lock-ward patientsThe above rule is not applicable to persons entering the private wards.
7. The person recommending any patient shall mention in the certificate if the patient be a pay patient, and in which case he shall be responsible for the amount which shall become due to the Hospital unless he declines such responsibility.
8. Two beds-one in the men's and one in the women's ward-shall be kept in reserve for those suffering from sudden accident, or in need of immediate relief.
XIV.
private wards.
Private patients, suffering from ordinary diseases, and paying not less than $\$ 10.50$ per weck, will be entitled to the usual services of the Aitending Physician, but may employ any legally qualified practitioner at their own expense.
XV.

GRATUITIES AND REWARDS.
No person connected with this Hospital in any capacity shall either give or take, directly or indirectly,-on pain of immediate expulsion,-from any tradesman, patient, or servant, any fee, reward or gratuity whatever, for any services done or to be done, relative to the Hospital.
XVI.

ORDER OF BU'SINESS.

1. The President shall take the chair and call the meeting to order.
2. Reading the mimutes of any stated or special meeting.
3. Report of the Treasurer.
4. Communications, including Reports from the Board of Directors, Visiting Governors and Medical Board.
5. Reports of Committees.
6. Miscellaneous business, including unfinished business.
7. Filling vacancies in the Board of Directors and in otber offices.
8. Amnouncement of the Visiting Governors.
XVII.
quordis.
Not less than 15 Governors shall constitute a quorum, for the purpose of electing officers, making By-Laws, or for holding any special meeting; but for all other purposes seven shall be a quorum.

Any Governor may authorise any other Governor to vote for him by executing the following form of proxy, which shall be recorded by the Secretary and valid till revoked :-

I, of appoint of hereby Western Hospital of Montreal, to represent me by proxy, and to vote and act for me at all meetings of the Governors, and in my name to do all things with regard to the business of the Hospital, in my stead that I might legally do, if personally present.

Wituess my hand, this day of 187.

## XVIII.

finance.
A Finance Committee of seven shall be appointed by the Board of Governors every year.

It shall be their duty to adopt proper means of augmenting the subscriptions and benefactions.

To circulate information respecting the Hospital, collect subscriptions, hand them into the Treasury, and assist the Treasurer generally.
XIX.

Any Officer or Governor refusing or neglecting to perform the functions of his office by not faithfully attending to the duties thereof shall be deemed disqualified, and the said office shall become vacant by vote of Board of Governors.

Further, if any Officer or Governor shall manifest opposition or hostility to the success and welfare of this Institution, he shall be deemed unworthy of his position as having forfeited all claim to the same, and on conviction his name shall be struck from the Roll of its Members.
XX.

AMENDING AND REPEALING BY-LAWS.
These By-Laws, in conformity with section eleven Act of Incorporation, shall not be added to, altered, nor repealed, except a special motion for such changes be made and received at one of the quarterly meetings of Governors, and passed at the next quarterly meeting before being submitted to the annual meeting of the Corporation.


