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2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to incorporate the Trustees of the Kingston Hospital.

Received and Read a first time, Wednesday, 7th March, 1849.

Second Reading, Monday, 12th March, 1849.

Hon. Mr. Macdonald.

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BILL.

An Act to incorporate the Trustees of the Kingston General Hospital.

THEREAS the inhabitants of the City Preamble. of Kingston and the Midland District, being from their position, constantly called upon to supply the necessities and re-5 lieve 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 10 in a more efficient manner: And whereas the Parliament of the late Province of Upper Canada in the second year of His late Majestý's Reign, did pass an Act granting the sum of three thousand pounds "in aid of 15 "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 in-"habitants of the Town of Kingston have 20 "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 super-"intending and managing the erection and 25 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 30 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, fur-35 nishing 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 hereinaster provided, for the better manage-

Act 9, V.c. 6, 5.

ment 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 5 Governor to the said Hospital under the Statute of this Province passed in the minth year of Her Majesty's Reign, intituled "An Act to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate 10 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: 15 Be it therefore enacted, &c.

Trustees of the Hospital made a Corporation; their powers.

And it is hereby enacted by the authority of the same, That the Mayor of the City of Kingsappointed and ton for the time being, the Judge of the Midland District Court for the time being, the 20 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 be annually elected in the month of January for the purpose by 25 the City Council of the said City, and their successors in the said named offices respectively, shall from and after the passing of this Act be a body corporate by the name of The Trustees of the Kingston Hospital, and 30 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, 35 taking and holding 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 any such person or persons, 40 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 45

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 5 Hospital as may not be required for the immediate use thereof, as shall to them seem meet and expedient: Provided always, that Proviso. such By-laws or Rules shall be laid before the Governor General or Person administer-10 ing 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 15 Trustees.

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

III. And be it enacted, That the said Trustees to 20 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 25 to remove him, her or them at pleasure, and appoint others in their places.

IV. And be it enacted, That it shall be Trustees to the duty of the said Trustees to invest in invest and manage the good, safe and sufficient securities all mo-Hospital 30 neys which may at any time come into their Funds. 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 35 by the Governor General or Person administering the Government, in Council, to render Accounts to an account in detail of all moneys received be rendered. by them as such Trustees, specifying the sources from which the same have arisen or 40 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.

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Power of Trustees to bring suits.

V. 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 10 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 15 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 20 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 25 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 aforesaid.

Trustees not responsible in cartain cases.

Medical Students in Kingston may visit the Hospital.

VI. And be it enacted, That it shall and may 30 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 35 shall and may by any By-law from time to direct and appoint.

Public Act.

VII. 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 40 Peace and others, without being specially pleaded.