

No. 190.

1st Session, 6th Parliament, 21 Victoria, 1858.

(PRIVATE BILL.)

BILL.

An Act to incorporate the General Hospital
of the District of Three Rivers.

Received and read, first time, Friday, 21st
May, 1858.

Second reading, Wednesday, 26th May, 1858.

MR. DAWSON.

TORONTO:

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An Act to incorporate the General Hospital of the District of Three Rivers.

WHEREAS certain members of the Clergy, Magistrates, and other inhabitants of the District of Three Rivers, have prayed for the incorporation of an institution to be located in the City of Three Rivers, under the name of the "General Hospital of the District of Three Rivers," and whereas urgent reasons have been assigned in support of the prayer thereof; Therefore Her Majesty, &c., enacts as follows:

Preamble.

I. From and after the passing of this Act, the Mayor and Councillors of the City of Three Rivers, constituting the corporation of the City of Three Rivers, and their successors forever, shall appoint one person who, together with four other persons resident within the said City, to be appointed by the Governor in Council, during pleasure, shall be a body corporate by the name of the "General Hospital of the District of Three Rivers," and as such shall have the usual powers and rights of bodies corporate, and shall have and hold all such parcel or parcels of lands and premises as may be assigned or conveyed to them by any person or persons whatever, for the use and support of the said Hospital, and shall and may be capable of receiving and taking 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, or body corporate or politic may be desirous of granting or conveying to them for the use or support of the said Hospital, and also shall and may, from time to time, 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 in Council within thirty days after the same shall have been so made as aforesaid, and may be by him disallowed within one month thereafter; and any three of such Trustees shall form a quorum for the transaction of business; And provided further, that the time of appointment by the Governor in Council of any of the aforesaid Trustees shall not be for a longer period than three years.

Certain officers and persons to be Trustees of the General Hospital of the District of Three Rivers and as such a Corporation.

General corporate powers. Power to hold land to any extent or value.

Proviso as to By-laws.

Quorum. Proviso.

II. The said Trustees, by the name aforesaid, shall have the power to appoint a Clerk or Secretary and Agent, and to remove him at their pleasure, and to appoint another in the place of the person so removed; and it shall be the duty of the said Trustees to invest in good and sufficient securities all moneys which may at any time come into their hands for the use and support of the said Hospital, and from time to time, when required so to do by the Governor in Council, to render an account in detail of all moneys received by them

Trustees may appoint a clerk or secretary, and shall account for all moneys received by them to the Governor in Council, on demand, and to both Houses

of Parliament annually. 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 and expended, and all such particulars as may be necessary to shew the state of the funds and endowment of the said Hospital; and the said Trustees shall also lay an annual statement of their affairs before both branches of the Legislature within thirty days after the commencement of each session. 5

Power to sue for money and claim rent. III. The said Trustees, by the name aforesaid, may sue and be sued, implead and be impleaded, in all and every the Courts of Law in this Province, and shall have power to sue in any of the said Courts for any cause of action touching the property of the said Trustees, and for any moneys due or payable to them for the purchase money or rents of any land or buildings, or on any account whatever; and to issue writs of *Saisie gagerie* for such 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 the said Hospital; and no individual of the said Trustees shall be held responsible for any act or acts of the said Trustees, which shall be determined upon at any meeting at which he shall not have been present, or from which he shall dissent, such dissent being entered and signed by him in the minutes to be kept by the said Trustees of their proceedings as hereinafter mentioned. 10 15 20

Absent or dissenting Trustees not responsible for acts done or determined upon.

Trustees to form a Board and appoint a President who shall have a casting vote. VI. The said Trustees shall form a Board, who shall proceed, as soon as they are organized by the election of one of the said trustees by the said Corporation of the City of Three Rivers, and the appointment of four other trustees by the Governor in Council, to name a President of the said Board; and in case of an equal division of votes in the said Board on any matter or proceedings therein, the said President shall have a casting vote, and his decision shall be final. 25 30

Trustees to appoint a medical staff for the uses of the said Hospital. V. The said trustees may name, constitute and appoint a Medical Staff, to be composed of not more than three licensed Physicians and Surgeons, to attend to the wants of the inmates of the said Hospital, with power to fix the duration of their office, to remove them and appoint others in their stead, and to fix such salary and emoluments as they may deem advisable. 35

The clerk or secretary of the Trustees to be the secretary of the Board of the Trustees, and in such capacity to have certain powers. VI. The Clerk or Secretary and Agent of the said Trustees mentioned in the second section of this Act, shall be the Secretary of the Board of Trustees, and shall in such capacity, be the person on whom all process issuing out of any Court of Law in this Province shall be served, touching and concerning any matters or proceedings relating to the said Hospital, and shall be and is hereby authorized to affix the seal of the said corporate body to any act or acts, deed or deeds, relating to the sale or purchase of any real estate that may be sold or acquired by the said institution, or to any other act or acts, or deed or deeds whatsoever, to which he may be so ordered to affix the seal by the said Board of Trustees. 40 45

Trustees may sell lands. VII. The said Trustees for the time being shall have power and authority to sell and dispose of any lot or parcel of land which may belong 50

to the said Hospital, and which it may be deemed advantageous to dispose of.

VIII. It shall be lawful for the said Trustees, and they are hereby authorized, from time to time, to borrow for the purposes of the said Hospital such sum and sums of money, not exceeding in the whole the sum of Five thousand pounds, currency, as they may lawfully require for the purposes of the said Hospital, and to issue a debenture or debentures for the raising of such loan, in such sum or sums, at such rate of interest and for such period or periods as the said Trustees may find expedient: Provided always, that no such debenture shall be issued for a longer period than twenty years, or for a sum under One Hundred Pounds, or bear a higher rate of interest than eight per cent., and that the interest thereon shall be payable half yearly.

Trustees may borrow £5,000 on debentures on the security of the funds and property of the Hospital.

Proviso.

IX. Every debenture issued by the said Trustees under and by virtue of this Act shall have the effect of a mortgage upon all the real estate then held by the said Corporation, and it shall not be lawful for the said Trustees, so long as any such debenture shall be outstanding, to sell or dispose of any lot or parcel of land which may belong to the said Hospital, save and except for the purpose of raising funds to redeem such debentures and to pay the interest accruing thereon from time to time.

Debentures to have the effect of mortgages while any outstanding, and no land to be sold except to pay debentures.

X. This Act shall be deemed a public Act.

Public Act.