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No. 58.

2nd Session, 6th Parliament, 22 Victoria, 1859.

(PRIVATE BILL.)

BILL.

An Act to amend the Charter of the Society
of the Montreal General Hospital.

Received and read, first time, Tuesday, 22nd
February, 1859.

Second reading, Wednesday, 23rd Feby., 1859.

MR. DUNKIN.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to amend the Charter of the Society of the Montreal General Hospital.

WHEREAS the Society of the Montreal General Hospital, by their Petition to the Legislature, have set forth, that on the thirtieth day of January, in the year of our Lord one thousand eight hundred and twenty-three, they were duly constituted a body politic and corporate, under and by virtue of certain Letters Patent of His late Majesty King George the Fourth, duly issued on that day at the Castle of St. Lewis, in the City of Quebec, under the great seal of the then Province of Lower Canada, and have ever since acted, and still act as such thereunder; that certain of the provisions of the said Letters Patent, more especially in reference to the qualification of the members of the said corporation,—its powers in respect of the holding and alienating of property,—the number, choice, and qualification of the Governors thereof, the quorum of Governors for the transaction of business, and the extent of their powers of administration, are found in practice to be highly inconvenient; and that they therefore pray for amendment of their said Charter;—And whereas it is expedient to grant their said prayer; Therefore Her Majesty, &c., enacts as follows:—

Preamble.
Charter of
30th Jan.,
1823.

I. The present Governors of the said Hospital, and all other persons who during the year to expire on the first Tuesday of May, in the year one thousand eight hundred and fifty-nine, shall have contributed to its funds five dollars or more, are hereby declared to be members of the said Corporation; and hereafter, all persons who, during the current or last expired financial year thereof, shall have contributed to its funds five dollars or more, shall be such members thereof; Provided always, that no person shall be entitled to vote as such member, who shall not have actually paid up such contribution for the then current financial year.

Who shall be
members of the
Corporation.

II. The said Corporation may acquire and hold, by any legal title whatsoever, real estate of a yearly value not exceeding four thousand dollars, as by the said Charter allowed, besides what they may require for the actual occupation of their Hospital; and they may acquire any other real estate, or interest therein, by gift, devise, or bequest, if made at least six months before the death of the party making the same, and may hold such real estate for a period of not more than three years; but the same, or any part thereof, or interest therein, which may not within the said period have been alienated, shall revert to the party from whom the same was acquired, his heirs or other representatives.

What real
estate the
Corporation
may acquire
and hold.

III. The present life Governors of the said Hospital shall continue so to be, subject only to the condition of their continuing to contribute to

Who shall be
life Governors.

its funds the yearly sum of twelve dollars or more, as heretofore,—but may be declared by vote of the Board of Governors to have ceased so to be, if at any time two years in arrear 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 twelve 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 further contribution. 5

Elected
Governors;—
number, quali-
fication, per-
iod of service,
&c.

IV. The present elected Governors of the said Hospital shall also continue so to be until the time of the next annual election of Governors, to be held under the said charter, after the passing of this Act, and shall severally be eligible for re-election thereat, if otherwise qualified; and at such next annual election there shall be chosen by the members of the Corporation qualified to vote, such number of elected 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 annual election thereafter, a like number of not more than six elected Governors shall in like manner be chosen for the like term of two years and until their successors shall be elected to supply the place of those retiring, who, however, shall always be eligible for re-election, if otherwise qualified; and all persons heretofore donors of forty dollars or more, if also contributors of eight dollars or more yearly, to the funds of the said Hospital, and also all contributors of twelve dollars or more yearly, to its funds, shall be held qualified for election as such Governors. 10 15 20 25

Vacancies
among elected
Governors.

V. In case of the death, resignation or disqualification of any elected Governor, it shall be in the discretion of the Board of Governors 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. 30

President and
Vice-Presi-
dent; election
of, term of
office, &c.

VI. 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 Vice-President of the said Corporation, who shall have such 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 disqualification of such President or Vice-President, 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; and the said Board may further, as occasion shall require, appoint all such other officers, and employ all such servants of every grade, of the said Corporation, on such terms, in respect of duty, emolument and otherwise, as by By-law in that behalf may be ordained, and may remove all such other officers and all such servants, in their discretion, subject only to such restriction as by By-law in that behalf may be ordained. 35 40 45

Vacancies in
the office.

Officers and
servants of the
Corporation.

Board of
Governors to
administer the
affairs of the
Corporation.

VII. The said Board of Governors shall in all other respects have full power to administer the affairs of the said Corporation, subject only to such restrictions as its By-laws may ordain; and in particular, may sell or in any other way dispose of any estate, real or personal, of the said 50

Corporation, as they may deem advisable for the interests of the said Corporation; Provided always, that all monies from time to time to be received by them on account of purchase money of any real estate by them alienated or to be alienated, or an 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 as income, and shall be promptly invested either in buildings or other real estate, for the occupation of the said Hospital, or in productive real estate, or upon security thereof, or in public securities of the Province, or stocks of chartered Banks of the Province.

Proviso: as to investment of proceeds of property sold.

VIII. So much of the said Charter as provides that every President, Vice-President, Governor, Treasurer and Secretary of the said Corporation shall take an oath of office, is hereby repealed.

President, &c., not to take an oath of office.

IX. The Quorum of the Board of Governors for the transaction of all business is hereby reduced to five; and the presence of the President or Vice-President shall not be necessary to constitute such Quorum.

Quorum.

X. The present By-laws of the said Corporation, in so far as they may not be contrary to any provision of the said Charter as hereby amended, or to law, shall remain in force until duly repealed or amended.

Present By-laws continued.

XI. The said Board of Governors shall have power hereafter to provide by By-law, from time to time, for any changes which may be deemed expedient as to the time prescribed by the said Charter for holding the annual meetings of the said Corporation, or as to the notice thereby required to be given for such meetings, or as to the rule of voting at such meetings thereby prescribed, or as to the mode therein indicated for the summoning of meetings of the said Board of Governors, as also for any lowering of the qualification hereinbefore set forth of elected Governors, which may be deemed expedient, or for the requiring of any larger Quorum of the said Board of Governors than is hereinbefore set forth, whether for transaction of business generally, or of any particular descriptions of business, as may be deemed expedient, and generally for all other matters and things whatsoever appertaining to the affairs of the said Corporation; and they may repeal or amend all such By-laws: Provided always, that no By-law, and no repeal or amendment of any By-law shall take effect until after approval thereof by vote of the members of the said Corporation, at an annual or special meeting of the Corporation duly called.

Board of Governors may make By-laws for certain purposes, and may repeal or amend them.

Proviso.

XII. The said Corporation shall at all times when thereunto required by the Governor or by either branch of the Legislature, make a full return of its property, real and personal, and of its receipts and expenditure for such period, and with such details and other information, as the Governor or either branch of the Legislature may require.

Corporation to make returns to the Legislature.

XIII. This Act shall be deemed a public Act.

Public Act.