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Provinc. of the Collège of Physicians and Sur.

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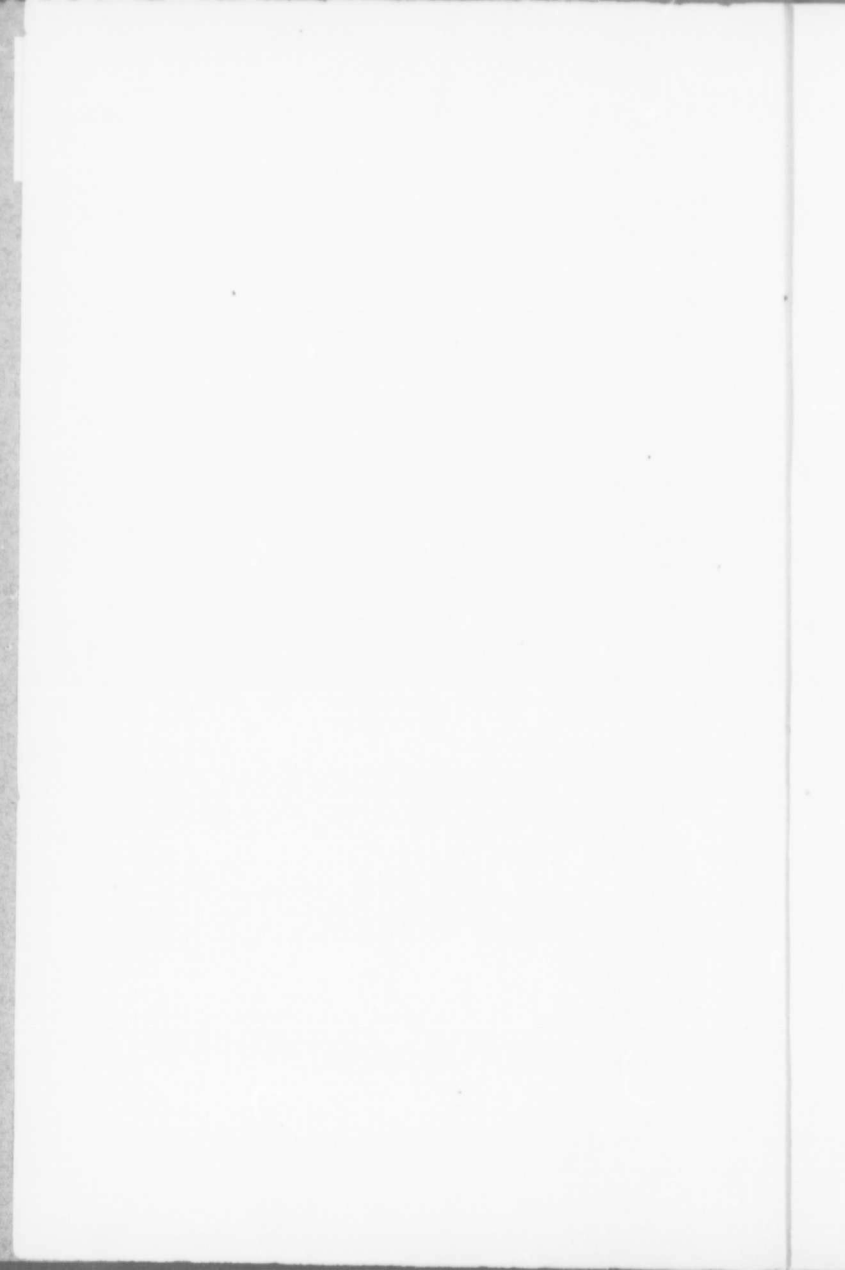
PROVINCE OF QUEBEC



QUEBEC

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1910



BY - L A W S

OF THE COLLEGE OF

PHYSICIANS AND SURGEONS

OF THE

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OF THE COLLEGE OF

Physicians and Surgeons

OF THE

PROVINCE OF QUEBEC

CHAPTER I.

PROVINCIAL MEDICAL BOARD

1° The affairs of the College are directed by a Board of Governors, called "*The Medical Provincial Board*," and composed of forty-one members, elected for four years, as provided by statutes, namely: fifteen are chosen from among the members of the College, residing in the district of Quebec; twenty from among its members residing in the district of Montreal; three from among its members residing in the district of Three Rivers; and three from among its members residing in the district of Saint Francis.

Out of this number (forty-one), thirty-five are chosen by the members of the College, and six are nominated by the three medical faculties of the provincial universities, each of them nominating two. (3972-73-74-75-76-77 R.S.).

2° The regular meetings of the Board of Governors shall be held on the second wednesday of July and on the last wednesday in September, in each year; the July meetings in the city of Montreal, and the September meetings in the city of Quebec, the place and date to be fixed by the Executive committee. (3982 R.S.).

3° Should the day on which a meeting of the Board is to be held fall on a holiday or feast of obligation, then the meetings shall be held on the next following day. (3985 R.S.).

4° One month's notice of such meetings shall be given by the registrar in at least one french and one english newspaper, in each district, and in at least one french and one english medical journal in the Province, if any be published therein. (3985-3993 R.S.).

5° All extraordinary meeting shall be held alternately at Quebec or Montreal. (3994 R.S.).

6° Every governor who shall attend a semi-annual or special meeting, is allowed ten dollars *per diem*, and his travelling and hotel expenses. This indemnity shall be paid from the funds of the College. No governor shall have a right to this indemnity, unless he has faithfully attended to the business or deliberations of the meeting until they have been duly closed. (3986 R.S.).

CHAPTER II.

1° At its meeting of July in the year in which the general elections of Governors should be held, or if no meeting of the Board be fixed or held in the month of July, then at the regular meeting nearest to the date of the elections, the Board appoints in each electoral division a returning officer who shall be a member of the College qualified according to the regulations of the Board, entered in the register, and having his office in the said division. (3972-3978-3986 R.S.).

2° If the returning-officer so appointed refuse to act as such, or if, after accepting, he resign the office, die or become incapacitated, or have not caused to be sent to the registrar of the College a notice of his acceptance within two days after the day upon which the registrar had posted the letter notifying him of his appointment

as returning-officer, the registrar shall, with the sanction of the president or of one of the vice-presidents, appoint a person to replace him, chosen from the same electoral division and qualified as above mentioned.

3° In giving notice of the election of the Board of Governors, the registrar shall give in the same time, notice of the appointment of returning-officers for the various divisions and of their replacing if necessary, in at least two medical reviews published in the province, and in a newspaper published in french and in one published in english in each of the cities of Montreal and Quebec, at least one month before holding of the election.

4° Before acting, the returning-officer shall make oath to faithfully perform the duties of his office without partiality, fear, favor or affection, before Justice of the Peace, or a commissioner of the Superior Court, or other competent officer, according to form A in the annex of this by-law, which is furnished to him by the registrar; and such oath forms part of his proceedings and accompanies his report of the result of the election to the registrar.

The returning-officer cannot be a candidate nor be elected at the election for which he acts.

5° At least one month before the holding of the elections, the registrar of the College transmits, under envelope sealed and registered, to each qualified member of the College, to the member's address as entered in the register of the corporation, a ballot-paper in the form B, bearing the signature of the registrar and the name of the member to whom it is addressed, and an envelope also certified by his initials previously stamped with the postage and registration rate, bearing the address of the returning-officer of the division.

6° The registrar may, on written request, supply duplicates of the ballot-paper and envelope to any member who had not received those addressed to him, and such ballot-paper shall be marked "*duplicate*," but no member of the College shall vote more than once, or shall transfer

to another the ballot which had been addressed to him.

7° Votes are given by the entry upon the ballot-paper, at the place indicated for that purpose, of the name and residence of the member of the College, or, if the division is represented by two or more governors, of the members for whom the member wishes to vote. The ballot shall bear the signature and the address of the voter and is by himself transmitted to the returning-officer by mail, in the envelope sent to him for that purpose by the registrar, which must be sealed and registreed on or before the voting day, but so that it may be remitted to the person to whom it is addressed before the close of the voting.

8° The returning-officer enters on each envelope the day and hour of its receipt.

9° However, anything which under the provisions must be sent by registered mail, may, with the same effect, be sent by express, charges paid, or by handing the document or paper to the person to whom it is addressed in person, but then no travelling expenses can be claimed or charged, and, in case it is handed to the person to whom it is addressed in person, the latter shall give a receipt for the document in question, certifying to the date and hour of delivery.

10° At five o'clock in the afternoon of the voting day and not before, the returning-officer opens, in the presence of at least two witnesses, all the envelopes enclosing the ballot-papers received by him up to that hour, and carefully counts the ballot-papers. He shall reject any ballot which is not filled up according to the prescriptions of articles 9, 10 and 11 of this chapter, which shall bear the signature of the registrar and voter, and which the voter had not transmitted to him in the envelope bearing the initials of the registrar. He shall also reject all ballot-paper transmitted by anybody else than the voter, the express or a registered letter.

11° He certifies under his signature the number of votes received by each candidate, the number of votes

which he had to reject, and the name of the candidate elected, and immediately transmits to the registrar this certificate, which shall be made according to form C accompanying his report with his oath of office, all the ballot-papers he received and those he rejected, as well as those admitted, all the envelopes in which the said ballot-papers were sent to him, all the envelopes received by him after the close of the voting which shall not be opened by the returning-officer, and in general all documents which had been given to him in connection with the election.

12° In the case of divisions which have to elect more than one governor, the two or three candidates, as the case may be, who have the largest number of votes must be declared elected, and the returning-officer complies in that respect with all that is prescribed in the articles 13 and 14 of this chapter.

13° When, upon the final addition of votes, there is an equality of votes between the candidates, the returning-officer is obliged to give his vote for one of such candidates by a declaration written and signed by him, mentioned in his report, and he declares elected the candidate for whom he has so voted.

14° In the divisions which have to elect more than one governor, the returning-officer is obliged immediately to give his casting vote as above prescribed, when a larger number of candidates than the division is to elect have an equality of votes, or when, one or two, as the case may be, of the candidates having the majority of votes over the others, there is an equality of votes between a larger number of candidates than remain to be elected.

15° In no other case shall the returning-officer vote.

16° Upon receipt of the certificates from the returning officers mentioned in the preceding articles, the registrar sends, by registered letter, to the candidate declared elected, a notice of his election, and public notice of the result of all the elections is published in the manner indicated in article 3 of this chapter.

17° At the first meeting of the Board of Governors following the holding of the elections, the registrar submits to the Board a detailed report of such elections, and he shall further immediately produce, if required, all documents whatever connected with the election, as well as the ballot-papers and the certificates of the returning-officers.

18° The certificates and other documents signed by the returning-officers or by the registrar in their official capacity, are *prima facie* proof of their contents, without it being necessary to prove the signature and the quality of the officer who signed it.

19° Any member of the College qualified to vote at the election in question may, by a petition signed by him, served upon the candidate declared elected at least ten days before its presentation and filed before the Board of Governors at its first meeting after the holding of an election, require a recount of the votes given at such election, and the Board may of itself or through a committee of its members appointed by it proceed to count the votes given at such election. Its decision upon the recount is final, and it may reverse that of the returning-officer and declare elected the candidate who in its opinion has the majority of votes.

20° The Board also judges in a final way every informality or cause of nullity that might affect the election of its members, and this on a petition made and served as stated in the preceeding paragraph. If the election is annulled, the Board will order a new election, at same time fixing the polling's day.

21° In each case, the Governor whose election is contested, cannot take part in the vote, nor in the Board's deliberations concerning such election.

22° In the case in which the election could not be held in an electoral division on the day fixed, the Board may cause it to be held at another date by appointing, if necessary, a returning-officer and fixing the date of the

election, and such election can be held according to the provisions of this by-law.

23° However, if after all the formalities have been complied with by the Board, the registrar and the returning officer, no ballot-paper filled up according to the prescriptions of this by-law is received by the returning-officer within the delay fixed, the Board may either order the election to be held at a later date in conformity with the preceding article, or make the election in question itself by electing by ballot a qualified member of the College entered in the medical register, and having his office in the electoral division.

24° Any vacancy arising by resignation, death, incapacity, loss of qualification or otherwise in the representation of any electoral division, is filled by a new election, which the Board, at its first meeting after the occurrence of the vacancy, or if the vacancy occurs whilst the Board, is in session then at that session, shall order by appointing a returning-officer and fixing the date of the election, and such election is held according to this by-law. The Governor so elected completes the term of office of the person whom he replaces on the Board. The existence of such a vacancy does not however in any way affect the powers of the Board.

25° The returning-officers shall receive ten dollars each for their services.

ANNEX

FORM A

Oath of the returning-officer.

COLLEGE OF PHYSICIANS AND SURGEONS OF THE
PROVINCE OF QUEBEC

District of (*name it*)

*Election of a Governor to represent division of the
counties of (enumerate them).*

I, the undersigned, A. B. (*name, surname and residence*), returning-officer for the electoral division of the counties of (.....) solemnly swear that I will act in my quality of returning-officer, faithfully, without partiality, fear, favor or affection. So help me God.

(*Signature*) A. B.

Returning-officer.

Sworn before me at
this day of 19..

(*Signature*) C. D.

*Justice of the Peace
or Commissioner of the
Superior Court.*

FORM B

BALLOT PAPER

College of Physicians and Surgeons of the Province of Quebec. | College of Physicians and Surgeons of the Province of Quebec.

District of

District of (name it).

Election of a Governor to represent the electoral division of counties of | Election of a Governor to represent the electoral division of the counties of...
.....

Ballot-paper supplied to Dr M. D. | I, the undersigned, residing at.....
of (place and country). | in the county of

Signature
A. B.
registrar.

in the said division, declare that I vote for Mr..... M. D., resident of..... in the county of....., and I have signed this..... day of..... 19..

Signature

FORM C

Election report

College of Physicians and Surgeons of the Province
of Quebec,

District of.....

Election of a governor to represent the electoral
division of the counties of.....

To the registrar of the College of Physicians and
Surgeons of the Province of Quebec.

Sir,

1° In my capacity of returning-officer of this division,
I report and certify to you, under my oath of office, that
on the.....day of the month.....19..
the day fixed for the election of a Governor to represent
the said electoral division, in presence of (*name, surname,
residence and occupation of the witnesses*) at five o'clock in
the afternoon, I carefully counted the number of votes
given at this election by opening the envelopes bearing
your initials which had been remitted to me up to that
hour, and I ascertained that (*name and surname*) had
received.....votes and.....(*names and surnames*)
.....votes.

2° And the said.....(*name and surname*), having
received the majority of the votes given at the said elec-
tion, I declared him duly elected to the office of governor
for the said division, and make this report to you to avail
as by law required.

And I have signed at.....this.....day
of the month of.....19..

(Signature) A. B.

returning-officer.

SCHEDULE

The following documents are annexed to the present
report.

1° Oath of the returning-officer.

2° Envelopes and ballot-papers received on the . . . day of the month of . . . 19 . . . before five o'clock in the after-noon;

3° Envelopes received after five o'clock in the afternoon of the same day, which I return to you, unopened, as I received them;

4° List of any other documents received.

(Signature) A. B.

returning-officer.

N.B.—If the division elect more than one representative, the following clause shall be submitted for clause 2 of the report of the returning-officer.

"2 And the said (*names and surnames*) having received the majority of the votes given at the said election, I declared them duly elected to the office of governors for the said division, and I make this report to you to avail as by-law required."

N.B.—If the candidates have received an equal number of votes, the returning-officer certifies to the same in his report and adds in place of clause 2 of the report the following:

"2 In consequence whereof, the candidates (*names and surnames*) having an equal number of votes, I voted for the candidate (*name and surname*), and I declared him duly elected to the office of governor for the said division, and I make this report to you to avail as by-law required."

N.B.—If one or two, as the case may be, of the candidates have the majority of votes over the others, and there is an equal number of votes between a larger number of candidates than remain to be elected, the returning officer shall modify this form so as to meet the requirements of article 16 of this chapter.

If the returning-officer has rejected any votes as irregular, he must mark upon such ballots the word '*rejected*' with his signature, and make special mention thereof in his report, giving his reason for such rejection.

CHAPTER III.

Officers of the College.

A THE PRESIDENT

1° The president shall be paid four hundred dollars (\$400.00) annually, out of the funds of the College, sa remuneration for his services. (3986 R. S.).

B THE REGISTRAR

2° The registrar is the administrator of all the affairs of the College. His principal duty is to fill the position as registrar, secretary and treasurer. He also sees to the execution and carrying into effect of the medical law and rules. He has charge of the affairs of the College of Physicians, whose head office is in Montreal. The expenses of this office including clerck's salary (which shall not exceed five hundred dollars) are paid by the College. (3971-3986-3989 R.S.).

3° The books of the registrar will at all times be open to any registered member for inspection from 10 to 12 a.m., and from 2 to 4 p.m., every juridical day, except saturday. Outside of office hours, the books will be replaced in a safety vault. (3994 R.S.).

4° In the six months following the general elections, the registrar shall get printed for distribution to those who apply for same a true copy of the register, giving in alphabetical order the names and surnames of all physicians then regularly registered, also residence, titles, degrees and qualifications obtained from any authorized institution. This register shall be made according to Form I, and shall be called "*The Medical Register of Quebec.*" (3993 R.S.).

5° The registrar also fills the position of secretary, keeper of records and correspondent. His duties are to give notice, in the newspapers, of the date and place of

the meeting of the Board, at least one month before the date of the meeting; also to send to each member of the Board, at least fifteen days before such meeting, a written notice giving the date thereof, place where to be held and a summary of the orders of the day. He shall take down the minutes of the meeting. Under the President's knowledge, he shall get printed the report of same, and shall distribute a copy to each of the members of the College. (3993 R.S.).

6° The registrar shall see to the carrying out of all the resolutions of the Council of discipline. (4002ii R.S.)

7° Under the president's direction he shall proceed against the quacks and other persons who illegally practise medicine. (3986 R.S.).

8° The registrar shall receive the sum of eighteen hundred dollars (\$1,800.00), out of the funds of the College, as remuneration of his services. The president, for the registrar, shall take out in a Guarantee Company an insurance policy for the sum of five thousand dollars (\$5,000.00); the premium to be paid by the College. (3986-3995 R.S.).

9° It shall be the registrar's duty, under the President's direction, to have legal proceedings taken out against any member neglecting to pay annually his dues to the College. (3985 R.S.).

CHAPTER IV.

PERMANENT COMMITTEES OF THE BOARD.

1° The permanent committees of the Medical Board are:—(3986 R.S.).

(a) The committee on Credentials, composed of the officers of the Board and of a representative of each university.

(b) The committee on Examinations, composed of three members, for the examination of widwives named by the executive committee.

(c) The committee on Regulations and Legislation, composed of five members, named by the Board.

(d) The Executive committee composed of all the officers of the Board.

(e) Committee of Discipline, composed of three members, named by the Board.

(f) Committee called: "Medical Board of Examinors," named by the Board.

2° The majority of the members of each committee shall form the quorum.

3° Any motion or communication, pertaining to a question amenable to a permanent committee, must be referred to such committee by the president, without discussion or vote. The Board nevertheless may, at the request of two thirds of the members present, decide to immediately take the question into consideration.

4° The committees must submit a written report on the questions referred to them; these reports must be signed by the majority of the members of the committee.

5° Any member of the Board, raising a question or making a motion, subsequently referred to a special committee, shall form part of said committee, except as regards the Council of Discipline, the formation of which is fixed by law. Any member of the Board, even if absent, may be named member of a committee, at the time of its formation.

6° The President is, *ex-officio*, member of all committees of the Board, permanent and special.

Duties of the committee on Credentials.

7° The committee on Credentials takes cognizance of the demands of admission to the study and practice of Medicine. If such demands are in due form, the committee may immediately approve them. On the other hand, it reports to the Board, on any irregularities ascertained; this report shall be substantiated and conclude by granting or refusing the request.

Duties of the Executive committee.

8° The following and other similar questions come within the jurisdiction of the Executive committee:

The financial interests of the College.

The investment of its funds.

The safeguarding, before the Legislature, of the rights and privileges of the College of Physicians.

All urgent questions that may arise between the adjournment of the Board and its next meeting.

All other questions submitted by the Board.

It must present a report of its transactions at each semi-annual meeting of the Board.

CHAPTER V

The Council of discipline.

Besides the constitutional articles of our medical law (from 4002 b.b. to 4002 r.r.), the Council and the Board shall have for their guidance the following dispositions of this chapter:

1° The Council of discipline must sit each time it is required to do so by its president, by two of its members, or by the registrar commanded by the Board.

The ordinary meetings are held in Quebec or in Montreal, at the time of the meetings of the Board. But at the plaintiff's request, the president shall convene a special meeting, the date and the place to be fixed by the president.

2° A complaint, in order to be examined at the time of a meeting of the Board, shall be set forth one month at least before the meeting of Governors.

3° The costs that may be taxed are those of the stenographers at the hearing if any be employed, of the bailiffs and the witnesses. The members of the Council and the registrar shall receive \$10.00 per day, and their expenses for the travelling and boarding. (3986 R.S.).

4° If a fee be not provided in the tariff for a necessary or usefull service in connection with the suit, the council, according to the circumstances and the state of the case, may allow a fee for such service and tax it against the party it deems profits.

5° On receipt of a complaint laid against physician, the registrar forwards immediately to the president of the College, who looks into it and decides whether the alleged act if proven is, yes or no, derogatory to professional honor as set forth in article 4002 cc of the medical law. In the affirmative, he informs the registrar and orders him to call for a fixed date a meeting of the Council of discipline. In the negative, the president notifies the registrar to refund the deposit, in whole or in part, and the documents to the plaintiff, and to advise him that his case does not come under the law.

6° When the president of the Council, or the Board *ex officio* orders a physician to be brought to trial, the registrar draws up the act of accusation, which must contain the same particulars as the complaint.

Procedure after the accusation has been made.

Formula A.

CANADA	}	PROVINCIAL MEDICAL BOARD
<i>Province of Quebec,</i>		

COMPLAINT

R. registrar of the College of Physicians,
 by the presents informs the Council of discipline that
 G. H. physician practicing at
 county of is accused under oath
 by N. B. of
 as follows, to wit: That the said G. H.

Wherefore the said registrar R.
prays that an order from the council be given calling
upon the said G. H. to appear before
it, according to the statute made and provided.

Given at this day of
. one thousand nine hundred and

registrar.

Formula B

CANADA }
Province of Quebec, }
PROVINCIAL MEDICAL BOARD

*Complaint by the registrar acting by order
of the Board.*

To the president and members of the Board.

R. registrar of the College of Physicians,
informs the Council of discipline by the presents that,
having received orders to proceed against G. H.
physician practicing at
accused of (relate the offense as described in the order
of the Board) prays that an order of Council issue calling
upon the said G. H. to appear before
it, according to the statute made and provided.

Given at this day of
one thousand nine hundred and

R
registrar.

Formula C

CANADA }
Province of Quebec, }
COUNCIL OF DISCIPLINE

1 *Form of writ of accused*

From the president and the members of the Council

of discipline to G. H. physician practicing
at county of

Greeting:

Know you by these presents that you are ordered to
appear before us, in person or by counsel, in our Council
of discipline in the city of on the
day of one thousand nine hundred
and at o'clock of the noon, to
them and there answer to the complaint made against
you by, copy of which is
herewith annexed.

And you are informed that, in default of appearing
before us on the day, at the hour and in the place above
mentioned, the complainant will proceed on the said
complaint as in the case in which the defendant fails to
appear.

Given at under the signa-
ture of our president, on the day of
one thousand nine hundred and

R

registrar.

C. S.

President.

7° The registrar notifies the accused to let him
have, within eight days, a list of the names surnames,
occupations and residences of the witnesses that he
wishes to call.

8° The registrar sends also to each member of the
Council notice of meeting, and a copy of the act of accu-
sation. (Form A)

Formula D

CANADA }
Province of Quebec, } COUNCIL OF DISCIPLINE

Writ of the witness.

From the president and the members of Council of

discipline to A. B. physician practicing at
. county of

Greeting:

Know you by these presents that you are ordered to
appear before us in our Council of discipline in the city of
. on the day of
one thousand nine hundred and at
o'clock of the noon, to them and there to bear
witness in the case of N. B. against G. H.
.

And you are informed that, in default of appearing
before us on the day, at the hour and in the place above
mentioned, you are liable of pain of being punished accord-
ing to the law.

Given at under the seal of the signature
of our president and that of our registrar at
on the day of one
thousand nine hundred and

R.

registrar.

C. N.

President.

9° If the registrar proceeds upon the order of the
Board, the copy of the resolution adopted by the Board
will replace the copy of the complaint.

10° The four foregoing formulas or others of the
same tenor are sufficient for the object to be obtained.

11° Ten days at least must elapse between the service
of the order and the appearance of the accused, if the
latter is domicilled within a radius of five leagues (fifteen
miles) from the place where the Council holds its sessions,
and if the distance exceeds five leagues (fifteen miles)
one day delay is added for each additional five leagues.

12° The service of the complaint and the order to
appear is made by a bailiff of the Superior Court who
delivers certified copies of aforesaid to the said accused,
either personally or to a reasonable person of his domicile.

13° The bailiff makes a return of such service unde_r
his oath of office upon the original of such order to appea

which he transmits with the annexed documents to the registrar on or before the day fixed for appearance, but before the hour fixed for the said appearance.

14° After the service upon the accused, the domicile of the complainant and that of the accused, for the purposes of the complaint, are established at the office of the registrar.

15° The complainant and the accused may appear personally or by attorney before the Council of discipline.

16° In every case brought before the Council of discipline:

I. The exhibits, or written proofs, cannot be taken out of the office without the written consent of both parties, and of the president of the College, and a receipt is given.

II. Exhibits produced in a cause become common to all parties to the suit, who may cause copies to be forwarded by the registrar or the secretary so long as they remain in his hands.

III. So long as the final judgment in the tribunal of last resort has not been rendered, all exhibits produced continue to form part of the record and, after the suit has been terminated, cannot be returned to the parties who have produced them except upon written permission of the president of the Council of discipline, when appeal is taken.

17° The witnesses are summoned by a writ of *subpœna* according to formula D in the name of the president of the Board, and signed by the registrar; and the refusal to appear before the Council of discipline constitutes a refusal to appear before a court of Justice, and the president of the College, or of the Council of discipline, has the same powers to force the witnesses to appear and give their testimonies as has the Superior Court of Justice.

18° Such writ of *subpœna* is served by a bailiff of the Superior Court, like any other of the document of record.

19° The Council of discipline has the same power

imposing fines upon witnesses for non appearance, and of ordering their imprisonment for contempt of Court as any judge sitting in any Court of Justice in the Province of Quebec.

20° The members of the Council of discipline are authorized by the present act to administer the oath to witnesses.

21° The costs of witnesses are taxed by the Council of discipline.

22° If, upon the day fixed for the hearing, one of the parties fails to appear, the Council of discipline may *de plano* foreclose the party in default, and upon demand, give the other party an acknowledgement of the fact. It may even declare the trial ended when the parties do not proceed upon the day fixed for the hearing.

23° No more than one counsel on each side may be heard at the hearing.

24° The Council of discipline, after having deliberate must give in writing the notice of its judgment; and if the accused be declared guilty, the judgment must pronounce the penalty imposed by the Council.

25° The complaint must be decided "*founded*" or "*not founded*" by an absolute majority of the Council, and the imposing of any penalty must be made in the same manner.

APPEAL TO THE BOARD

26° The complainant and the accused must, at the time of the hearing in appeal, produce a written statement or "*factum*" of the case, which must be forwarded to the registrar, no less than two days before the hearing.

27° If such statement or "*factum*" be not produced by the appellant within the delay fixed, the appeal is presumed to be abandoned and the registrar must cancel the inscription from the roll.

28° If such statement or "*factum*" be not produced within the above delay by the respondent, the registrar must inform the appellant of the fact, and the appeal is

heard "*ex parte*" without the intervention of the respondent.

29° The record of the first instance before the Council and the "*factum*" of the parties are the only documents produced in appeal.

30° On the first day of the session during which the hearing is to take place, if both parties do not appear before the Board, the case is cancelled from the roll; and it cannot be re-inscribed except upon a supplementary deposit for the amount and within the delay fixed by the Board when cancelling the case from the roll, and notice is given by the registrar to the respondent as soon as the case has been re-inscribed.

31° If the appellant does not appear, the appeal is dismissed with costs upon the demand of the respondent.

32° The Council, as well as the Board, shall always have the right to take into consideration the special circumstances as established by the proof, and use their discretion as to the gravity of the offence, and may declare, if they deem proper, that it was excusable and in no way derogating to the honor and dignity of the profession.

CHAPTER VI.

Admission to the Study of Medicine.

Besides the conditions enacted by the medical law, the candidates to study shall be bound to conform with the formalities of the present chapter. (3986-4000-4002a R.S.).

1° The candidates to study shall send a certificate of good conduct to the registrar with their titles, or notice of intention to present themselves for the preliminary examinations, at least fifteen days before its taking place.

2° The holders of a bachelor's degree shall send it to the registrar at least eight days before the meeting of the Board.

3° The preliminary examinations shall be held before the examiners appointed by the Board. These examinations will take place twice a year, at Montreal and at Quebec in turn, and shall commence on the tuesday of the week immediately preceding the semi-annual meeting of the Provincial Medical Board, in each of the above cities, to continue daily until all the candidates have been examined. (4002 R.S.).

4° The date and place of the preliminary examinations shall be made known at the same time and in the same manner, as the semi-annual meetings of the Board, and each examiner shall be officially notified thereof, at least one month in advance by the registrar. (4002a R.S.)

5° The examination shall be oral or written. The oral examination of each candidate shall take place, before at least two joint examiners (one french and the other english). (4002 a R.S.).

6° Provided they comply with the law and the by-laws of the Board, the examiners will be at liberty, to make any arrangements they may deem fit, concerning the direction of the examination of candidates.

The examination subjects are divided into two groups; sciences, (first group), and the letters, (second group). The candidates must obtain at least half of the points attributed to each group, in default of which they shall be compelled to begin again in the group where they have failed to do so. The candidate who, in either of the two groups, has not obtained in one subject the minimum points required, though having half of the points attributed to the group, shall begone over that subject alone. (4002a R.S.)

One third is the minimum for each subject.

The points allowed for each subject will be:

FOR LETTERS.

Mother tongue.....	200 points
Latin.....	120 “

Foreign language.....	120	"
History.....	80	"
Geography.....	80	"
Litterature.....	120	"

FOR SCIENCES

Arithmetic.....	100	points
Algebra.....	60	"
Geometria.....	60	"
Physics.....	200	"
Chemistry.....	100	"
Philosophy.....	100	"
Botany.....	40	"
Zoology.....	40	"

7° As soon as the examinations are finished, the examiners shall forward to the registrar, a complete report containing the names of the successful and unsuccessful candidates. (4002 R.S.).

8° At the semi-annual meeting of the Provincial Medical Board immediately following the preliminary examination, the registrar shall produce the examiners' report and the names of those who seek admission to the study of Medicine, on the strength of the degree of bachelor of Arts, of Sciences or of Letters. The registrar will then record in a special book the names of all candidates having passed a successful examination, or having evidenced to the Board that they are holders of a degree of bachelor of Arts, of Sciences or of Letters of a canadian or english university, and he shall give to each of them a certificate of registration, called "*Brevet.*" (4002 R.S.)

9° The examiners are obliged to take all means they find necessary, or that may be suggested by the Board, to identify the candidates to study, and up for the preliminary examination. (4002a R.S.)

10° Each of the examiners shall receive from the College a fee of twenty five dollars (\$25.00), for the first

day of the examination, and of ten dollars (\$10.00) for each subsequent day. (3986-4002 a R.S.)

11° The president may replace any examiners prevented from attending examination, by qualified teachers in this Province.

12° The registrar attends the examination and exercises a general supervision.

CHAPTER VII,

Medical Examination

1° The medical examinations take place twice a year, at the end and the beginning of the academic year of the medical Faculty of Laval and McGill university.

2° The renewing of examinations may take place at other periods of the scholar year, provided that the Faculties assure the payment of the Board examiner's fees.

3° Each of the above mentioned Faculties fixes for itself the place and date of examination; the dean gives the president of the College at least fifteen days notice, and the latter advises the registrar.

4° The registrar then sends to the secretary of each Faculty blank forms for the candidates to examination as per formula article 4002f of the statutes.

5° These blanks when filled in by the candidates are transmitted to the registrar.

6° The registrar must also be supplied with the following certificates: inscription, assiduous attendance at the lectures and hospital, good behaviour.

7° The registrar, after examining the papers forwarded by the candidates, prepares three lists (Form 6, article 4002h) of the statutes, for each examination subject, giving the candidates' names in alphabetical order.

8° He transmits, at least eight days in advance, one of these lists to the examiner named by the College, another to the Faculty where the candidates present themselves for their examination, and keeps the third one for the records.

9° The registrar's signature to the list indicates that the inscribed candidates have the right to present themselves for examination.

10° If any of the examiners cannot attend the examinations on the date fixed, he, as soon as possible, notifies the registrar, who immediately confers with the president of the College who appoints a substitute for those who have been suggested by the credentials committee.

11° The examinations go on without interruption from 9 to 12 a.m. and from 2 to 6 p.m. or from 8 to 11 p.m.

12° The examiners make their report according to formula 6, article 4002h of the statutes, and immediately transmit same to the registrar.

13° When he receives the examinations papers, the registrar prepares in alphabetical order a general list (Formula A), and submits same to the credentials committee at its regular meeting.

14° Each candidate to study or to practice has his examination's records inscribed in a card for that purpose and which is kept on file.

15° If any of the candidates for examination neglects to present himself, the examiner places a red cross opposite his name.

Article 4002f of the statutes.

Sir,

I, the undersigned,
medical student of
has the honor to inform you that I shall present myself,
at the coming examinations before the Medical Board of
examiners of the Faculty of
to undergo my examinations on the following subjects.

(Signature)

N.B.—The candidate must transmit with this notice all the certificates that give him the right to present himself on the various subjects, (inscription, assiduous attendance at the lectures and hospital, good behaviour).

REPORT OF EXAMINATION

To the president and members of the credentials committee,
Gentlemen,

I have the honor to transmit to you the list of the candidates who present themselves before the "Provincial Examiners' Board" at the examinations held at the Faculty of
. at the 19 and the details of the notes that were given.

Names	Subjects	Admitted	Refused

I, the undersigned, declare that the above report is correct, entirely conforms with the notes admitted by the Board of Examiners.

N.B.—A red cross indicates
the subject or subjects
to be begun over again.

No 6 ARTICLE 4002H OF THE STATUTES

To Dr.
 Address

Sir,

I, the undersigned, certify that the candidates whose names are inscribed on this list have informed the Board of their intention to present themselves for examination on at the Faculty of and have supplied all the certificates required by law and by the regulations of the College.

(SIGNATURE) Registrar

Subject Number of points

Date Names and Surnames	Address	Date of birth	Notes

We, the undersigned, examiners duly named, certify to have opened the examinations at the 19....., and to have closed them the 19....., and declare that the above report is correct and true.

IN WITNESS WHEREOF we have signed at the day of

CHAPTER VIII.

The License.

1° The qualifications and titles of the candidates to practise will be examined and judged by the credentials committee whose decision, according to the medical law to be valid, must be ratified by the Medical Board. (3986 R.S.).

2° Every candidate for a license shall furnish proof that he is twenty-one years of age. (3985 R.S.).

3° When the credentials produced by a candidate are regular, such candidate shall take the oath on the day of the meeting of the Committee on Credentials, and shall be entitled to his licence only after ratification by the Board of Governors. On the other hand, the committee shall report to the Board of Governors, the irregularities ascertained, and such candidates shall await the meeting of the Board before receiving their license and taking the oath. The form of oath shall be conformable to formula 12, annexed to the medical law (3985 R.S.).

4° Licenses shall be granted only at the semi-annual meetings of the Board. However, the Board may, by a special resolution, authorize the president, or in his absence, one of the vice-presidents, to take the oath and to deliver the diploma, at another time, to candidates, who having demanded and obtained it at a semi-annual meeting, might for valid reasons, have been prevented from claiming it, at the proper time. (3985 R.S.).

CHAPTER IX.

Fees.

1° The following fees shall be claimed by the College: (3986 R.S.).

For certificate of admission to the study of
medecine (Brevet) including registration. . . \$25.00

For license or diploma authorizing the practice of medicine, including registration	\$50.00
Annual contribution of members	4.00
For all certificate delivered by the registrar	1.00
Annual contribution of midwives	2.00
For registration of degrees or titles other than those registered when obtaining the license	2.00
For examination including registration of midwives	20.00

2° All candidates for the study of medicine or for license, must deposit, with the registrar, and at least ten days previous, together with their credentials, the amount of the fees which would become due to the College in the event of successful examination. (4001 R.S.).

3° If the candidate for the license is rejected at his first examination, he shall forfeit half the fees paid to the College, and the same shall apply to the student who fails in his examination for admission to study; the balance of the fees in either case, shall be returned to the unsuccessful candidate. If the latter fails subsequently, there will be no refund. (3985 R.S.).

CHAPTER X.

Midwives.

1° The Medical Board shall appoint a committee of three members to conduct the examination of midwives. Such examination shall take place at each semi-annual meeting of the Board (3986 R.S.).

2° Any woman wishing to present herself before the provincial Medical Board to undergo examination, and to obtain license to practise midwifery in this province, shall furnish.

I. A certificate of attendance at fifty lectures at least, given by a professor in one of our universities, and attached to a lying-in hospital.

II. A certificate of regular hospital work during six months in a lying-in hospital, affiliated to an university.

III. A certificate evidencing that she has assisted to at least twenty-four confinements.

IV. A certificate of good moral character and of being able to read and write.

3° Any woman having passed her examination and complied with all the requirements of the by-laws of the College, shall be recognized as a duly licensed midwife of the Province of Quebec. Such a license shall only confer upon her the right to perform confinements and not to practise medicine. Should the confinement present any complication requiring medical or surgical intervention, the midwife shall have to call in a licensed physician, otherwise she is liable to penalty for illegal practice of medicine. (4002-4002r R.S.).

4° The fee, which shall be twenty dollars (\$20.00) for examination and registration, shall be paid to the registrar at least, ten days in advance, so that the candidate may undergo the examination.

CHAPTER XI.

Auditors.

1° The Board shall appoint outside of the members of the medical profession, one or two auditors, who will once a year make a minute examination and verify books, accounts, receipts, assets etc., in the registrar's hands, also check all the registered names of candidates to study and practice, and every thing connected therewith, and to prepare a faithful and complete report, under their signature, of the financial position of the College. This report shall be transmitted to the office of the registrar at least eight days before the annual meeting in September, as well as for the meeting preceding the general elections of the Governors. (3998 R.S.).

CHAPTER XII.

Miscellaneous.

Any member of the College of Physicians and Surgeons of the Province of Quebec, shall have the right to assist at the meetings of the Governors, unless, by special resolution, the Board has decided to sit with closed doors. (3985 R.S).

CHAPTER XIII.

Alterations and Amendments to the By-Laws.

1° To modify or amend these by-laws,—which can only take place at the semi-annual meetings—it will be necessary that a notice to that effect be given by two members of the Board at a previous meeting, or that a copy of the proposed modifications and amendments be transmitted to each member, at least two months in advance.

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RULES OF PROCEDURE

FOR THE MEETINGS OF THE MEDICAL BOARD

1° The president presides over all the meetings of the Board, has the minutes of the last meeting read and approved, and signs the same. (3992 R. S.)

2° When the president is called upon to decide a point of order, he must do so by citing the rule bearing upon the question and without any comment. His decision is subject to an appeal to the meeting.

3° The president makes known the result of all votes taken. But at the request of any member, and without permitting further discussion upon the question,

he shall request, alternatively, the members voting for or against, to rise, shall count them and make known the result. At the request of any member, the president shall call upon each member, by name, to vote *yea* or *nay*, and the result shall be taken down by the secretary.

4° When any member wishes to speak he shall rise and address the chair. He must confine himself to the question under discussion and avoid all personalities.

5° When two or more of the members stand up at the same time, the president decides who will take the floor.

6° When a member is speaking, another member may not interrupt him, except to raise a point of order or to ask for an explanation. In such case, the member rising shall confine himself strictly to the point of order or to the explanation asked for.

7° When any member, in speaking or otherwise, break sthe rules of procedure, the president shall, and any member may call him to order. In such case, the member called to order must sit down immediately, unless he be allowed to offer an explanation, and, if an appeal is made to the meeting, said appeal shall be disposed of without discussion.

8° No member can speak more than once upon the same motion or resolution, except the mover of a proposal who shall be allowed to reply; and no member shall speak upon any question more than ten minutes, unless he be permitted so to do by the meeting.

9° Any member may request that the motion or resolution under discussion be read, without, otherwise however, interrupting the member speaking.

10° No member shall speak upon a motion after the president has put said motion to the meeting.

11° Every motion shall be written and seconded before the president can submit it to the meeting, and when so submitted it can only be disposed of by a vote of the meeting, unless it be withdrawn at the request of the mover and with the unanimous consent of the meeting.

12° No new question, other than a question of privilege or petition, can be brought before the meeting of the Board unless a notice of motion have been given at a previous sitting, or unless permission be granted by a three quarters majority of the members present. The morning, the after-noon and the evening sittings shall be considered as separate sittings for the purposes of this rule.

13° No question, once passed upon by the Board, can be reconsidered or replaced upon the orders of the day of a meeting, during the same session of the Board, unless consent of two thirds of the members present be obtained.

14° The Registrar shall prepare a list of all motions, reports and other matters to be submitted to the meeting. This list shall be in the following order.

I° The roll call of the members, and the taking down of those present or absent.

II° Reading of the minutes of the last meeting.

III° Notices of motion.

IV° Reading of letters, etc., addressed to the Board.

V° Motions whereof notice has been given at a preceding meeting.

VI° Questions and informations.

VII° Reports of permanent and special committees.

VIII° Matters not disposed of at a previous meeting.

IX° Other matters.

No change can be made to the forgoing without the consent of the Board.

15° When a question is under discussion, no motion can be accepted, except:

I° For adjournment.

II° For previous question.

III° To postpone.

IV° For laying the matter on the table.

V° For referring the matter to a committee.

VI° In amendment.

The President shall put the previous question in the following manner. "Shall the main motion be now put?" if carried the debate shall be closed. the Board having thus decided to vote upon the main motion.

16° A motion to adjourn shall always be in order, and the vote there on, as well as upon a motion to lay upon the table, shall be taken without previous discussion.

