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GENERAL

RULES AND REGULATIONS

FOR THE GOVERNMENT OF THE

COMMON GAOLS

OF

CANADA.

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QUEBEC:

PRINTED AT J. T. BROUSSEAU'S STEAM PRINTING ESTABLISHMENT.

1861.

(71)  
1961

**GENERAL RULES**  
**AND**  
**REGULATIONS FOR THE GOVERNMENT**  
**OF THE**  
**COMMON GAOLS OF CANADA.**



Framed by the Board of Inspectors of Asylums and Prisons, under the provisions of Chap. 110, Sect. 22, of the Consolidated Statutes of Canada.

**1.**

1°. The Sheriff of every County is by law the Chief Executive Officer of the Prison of such County. It is his duty to see that the Prison Rules are strictly observed, and he is responsible, generally, for the due administration of the affairs of the Prison.

The Sheriff, the Executive officer of the Prison.

2°. In every prison, however small, there shall be, at least, the following permanent resident officers, namely: 1° The Keeper of the prison; 2°. An Assistant Keeper or Turnkey. In larger prisons, as many additional Turnkeys, as may be necessary for the number of prisoners, shall be added. In all Prisons in Cities, and in all other Prisons in which (from the number of female prisoners confined therein) the Inspectors may think fit to require it, there shall also be a Matron, with such Assistant Matrons as may be necessary for the number of prisoners.

Prison Staff.

Female attendants.

In Prisons, where a Matron is not permanently resident, it shall be the duty of the Sheriff, whenever one or more female prisoners are in the Prison, to secure the services of a female attendant to take charge of such female prisoners or prisoner, so that female prisoners shall at all times be attended by females.

Religious services.

30. The Protestant and Catholic Chaplains (where there are such officers regularly appointed and paid, shall on Sundays and Holydays perform religious services for the prisoners of their respective churches. They shall also devote a considerable portion of their time to visiting and instructing the prisoners, and shall, at all reasonable times, attend any prisoner requiring their spiritual advice or assistance.

Where there are no regular Chaplains, the Minister or Clergy of the neighbourhood should be permitted and invited to visit the prisoners of their respective churches, and to perform such other religious services in the prison as would be performed by the Chaplain. No prisoner, however, shall be compelled to see a Clergyman professing a creed different from his own.

The Officers of the prison shall endeavour, if practicable, to procure for any prisoner the services of any particular Clergyman, whom the prisoner may desire to see; but no Officer of the Prison shall attempt to make proselytes among the prisoners.

Medical Officer, his duties.

40. The Medical Officer of the Prison shall attend all the prisoners, and all resident Officers and Servants of the Prison, and their families, and shall have the general care of the health of the prisoners.

He shall frequently see every prisoner in separate confinement, and every other prisoner once at least every week, or oftener if necessary.

He shall frequently inspect every cell, and see that it is dry and well ventilated. He shall frequently inspect every part of the prison, and shall notify to the Board any want of drainage, of warmth, or of ventilation, any insufficiency of clothing, or bedding, any bad quality of the provisions, or any other defect which in his opinion may be likely to prejudice the health of the prisoners.

## 2.

5°. The first duty of every Officer, is to enforce strictly the observance of the Rules and Regulations of the Prison. While however, they thus enforce the discipline of the Prison, they should treat the prisoners with kindness and humanity:—It should always be borne in mind that the great object of Prison discipline is to reform the Prisoner, and, to that end, the officers of the Prison should endeavour to acquire a moral influence over the Prisoners; this they can do in no way more effectually than by performing their own duties consistently and conscientiously, but without harshness.

Duties of Officers,  
general rules.

6°. No Officer of the Prison shall sell, or have any benefit or advantage from the sale of any articles to any prisoner, nor shall he have directly or indirectly any interest in any contract or agreement for the supply of the Prison.

7°. The Keeper of the Gaol shall reside in the Prison. He shall be required to make himself thoroughly acquainted with every thing that appertains to the duties of his office, and when necessary he shall consult the Sheriff and the Inspectors.

The Keeper of the  
Gaol, his duties and  
powers.

The Keeper of the Gaol shall not be concerned in any occupation or trade whatsoever.

May make certain Rules.

He shall have power to make and alter from time to time, with the consent of the Sheriff, all rules respecting the internal routine of the Prison, such rules not being inconsistent with their Rules and Regulations. All rules, however, so made or altered by him shall be communicated as speedily as possible to the Inspectors and shall be subject to their approval.

He shall inform the Inspectors of all defects in the construction or condition of the Prisons. He shall advise them as to the operation of the Rules and discipline of the Prison. He shall notify the Sheriff of any important occurrence which takes place in the Prison, and consult with the Chaplains and Medical Officers respectively, as to all matters connected with the religious or medical wants of the Prisoners.

Books to be kept.

He shall keep the following books, namely :  
 1° A Register or Journal of the daily movements in the Prison ; 2° Two Account Books, one the Cash Account shewing the amount of money expended, and the other, the Stock Book shewing the amount of stores and articles consumed ; 3° A punishment Book, or Register of the Punishments inflicted for breaches of prison discipline ; 4° A daily Journal of the occurrences of the Prison, with any remarks he may think called for respecting them. He shall also keep a Memorandum Book, in which the Inspectors, or other official visitors of the Prison, may enter any remarks they may desire to make respecting the Prison. All these books shall be of such form and shall be kept in such manner as the Inspectors from time to time may determine, and until the Inspectors shall otherwise direct, these Books shall be of the form, and be kept in the manner heretofore customary in each Prison.

Unforeseen emergencies.

In case of any unforeseen matter, not provided for by the General Rules of the Board, the Keeper of the Gaol shall have power, with the

consent of the Sheriff, to make a new rule, or to alter any existing Prison Rules, so as to meet the emergency; but in all such cases, he shall notify the Board without delay, of the circumstances connected with the making or altering of such Rule, and of the reason for so doing.

8°. The Matron shall exercise, under the direction of the Keeper of the Gaol, a general supervision over the female department of the Prison. She shall not, however, have any controul over, nor be in any way responsible for the general administration of the Prison. Matron, her duties.

9°. The Assistant Keeper shall be entirely under the orders, and in case of necessity shall discharge the duties of the Keeper. He shall faithfully discharge all the duties of his office, but he is especially charged with the superintendence of the prisoners when at work, with the daily visits to the Cells, and with the locking up, and other minor internal details of the Prison. The assistant Keeper, his duties.

10°. The Turnkey shall, under the orders of the Keeper, and Assistant Keeper, be specially charged with the duty of guarding the prisoners. The details of their duty will be regulated according to circumstances, by the usages of each Prison, and by the orders of the Keeper of the Prison. The Turnkey.

### 3.

11°. The doors, windows, walls, chimneys and all other parts of the occupied portions of the Prison, shall be frequently inspected and kept in good order. The cells, day rooms, passages, kitchens, and other places, the furniture of every kind, the bedding and clothing, shall all be kept in a proper state of cleanliness. The walls of the cells and passages shall be whitewashed or painted from time to time, as often as may be necessary. Cleanliness.

12°. No horses, cows, pigs, cattle, or poultry of any kind, shall be kept in the vicinity of the occupied portion of the Prison; no dirt of any kind shall be permitted to remain in the yards or airing grounds of the Prison.

Sanitary matters.

13°. All matters relating to the heating ventilation or the drainage of the Prison, or the mode of procuring the Prison supplies, should be left to the decision of the Board, except in cases of emergency, when the Keeper of the Gaol shall, under the advice of the Sheriff, take such steps as are absolutely required, and forthwith report the same to the Board.

14°. The personal cleanliness of the prisoners shall be strictly enforced; for this purpose baths should be used, and the hair and beard of the prisoners should be kept moderately short.

#### 4.

Prison furniture.

15°. Every prisoner shall be provided with a separate bed, a mattress or palliase, a pillow, sheets, and a sufficient supply of blankets, a piggin for water, a night bucket, and the articles indispensably necessary for the table, all these articles shall be of the pattern used in the Provincial Penitentiary. Every prisoner should have a comb for himself, and be supplied with soap and towels.

Gaol clothing.

16°. Suitable dresses of the material, colour and pattern, as nearly as possible, prescribed for that purpose by the Board, (specimens of which may be seen at the Provincial Penitentiary,) shall be supplied to and used by all convicted prisoners (save those who are hereinafter specially excepted), the Prison dresses shall also be supplied to, and used by, all other prisoners, including debtors, whose own clothing shall be insufficient for decency or unfit for use.

**DIETARIES FOR PRISONERS IN THE COMMON  
GAOLS IN CANADA.**

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17°. All Prisoners shall be allowed at their meals as much good water and salt as they choose, the prison dietaries may be divided into the four following categories.

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CLASS I.

*Convicted prisoners confined for any time not  
exceeding 14 days.*

Males.

Females.

<i>Breakfast.</i>	} 1 pint of oatmeal gruel, el, 6 oz. of bread.	} Same as Males
<i>Dinner</i> . . . . .	12 oz. of bread. . . . .	6 oz. of bread.
<i>Supper</i> . . . . .	Same as breakfast . . . . . As breakfast.	

All prisoners to have in addition 1 pint of soup at dinner *twice* per week.—Those at hard labor to have 1 pint of soup at dinner *four* times per week.

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CLASS 2.

*Convicted prisoners not employed at hard labor  
for periods exceeding 14 days.*

Males.

Females.

<i>Breakfast.</i>	} 1 pint oatmeal gruel, } 8 oz. bread.	} 1 pint gruel, } 6 oz. bread.
<i>Dinner,</i> 2 days.	} 1 pint of soup, 8 oz. } } bread. } 6 oz. bread.	

<i>Dinner,</i> 2 days. *	{ 5 oz. cooked meat, without bone, 8 oz. bread, $\frac{1}{2}$ lb. of pota- taos.	{ 4 oz. cooked meat, without bone, 6 oz. bread, $\frac{1}{2}$ lb. of potatoes.
<i>Dinner,</i> 3 days.	{ 8 oz. bread, 1 lb. of potatoes, or a pint of gruel when potatoes cannot be had.	{ 6 oz. bread, 1 lb. of potatoes or 1 pint of gruel.
<i>Supper.</i>	Same as breakfast.	As breakfast.

## CLASSE 3.

*Convicted prisoners employed at hard labor for any term exceeding 14 days, but not more than 6 weeks.*

	Males.	Females.
<i>Breakfast.</i>	{ 1 pint oatmeal gruel, 8 oz. bread.	{ 1 pint oatmeal gruel, 6 oz. bread.
<i>Dinner.</i>	{ 2 days. { 1 pint of soup, 8 oz. of bread.	{ 1 pint of soup, 6 oz. of bread.
	{ 3 days. † { 6 oz. of cooked meat without bone, 8 oz. of bread, $\frac{1}{2}$ lb. of potatoes.	{ 5 oz. of cooked meat without bone, 6 oz. of bread, $\frac{1}{2}$ lb. of potatoes.
	{ 2 days. { 8 oz. of bread, 1 lb. of potatoes, or 1 pint of gru- el when potatoes cannot be had.	{ 6 oz. of bread, 1 lb. potatoes or 1 pint gruel when potatoes cannot be had.
<i>Supper.</i>	Same as breakfast.	As breakfast.

\* An interval of two days should elapse between the days on which this diet is given

† This diet should not be given on two consecutive days.

CLASS 4.

*Convicted prisoners employed at hard labour, for any period exceeding 6 weeks.*

	Males.	Females.
<i>Breakfast.</i>	{ 1 pint oatmeal gruel, 8 oz. of bread.	{ 1 pint gruel, 6 oz. of bread.
<i>Dinner.</i>	{ 2 days. { 1 pint of soup, 8 oz. of bread.	{ 1 pint of soup, 6 oz. of bread.
	{ 4 days. * { 6 oz. of cooked meat without bone, 8 oz. of bread, ½ lb. of potatoes.	{ 5 oz. cooked meat without bone, 6 oz. of bread, ½ lb. of potatoes.
	{ 1 day. { 8 oz. of bread, 1 lb. of potatoes or 1 pint gruel, when potatoes cannot be had.	{ 6 oz. of bread. 1 lb. potatoes or 1 pint gruel when potatoes cannot be had.
<i>Supper.</i>	Same as breakfast.	As breakfast.

Witnesses for the Crown and debtors should be placed on same diet as class 3.

Unconvicted prisoners on same diet as class 2, while not working at hard labour:—If they voluntarily work at hard labour, they shall be placed on the same diet as class 4.

GENERAL RULES RESPECTING THE DIETARIES.

The gruel should be made with 2 oz. of oatmeal to a pint of water:—Indian meal in the same quantities may be used instead of oatmeal.

Milk may be used, where convenient instead of gruel.

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\* This diet should not be given on more than two consecutive days in any week.

A beverage made with roasted pease or barley, may also be used twice or thrice a week instead of gruel at breakfast:—but when this beverage is used, 2 oz. more of bread should be added.

Cocoa made with  $1\frac{1}{2}$  oz. of nibs or beans to a pint of water, may be advantageously used once or twice a week instead of gruel, at breakfast, specially during the winter.

The soup should contain 3 oz. of cooked meat, without bone:—the usual quantities of vegetables, with pepper and salt.

When pork is given at dinner, 1 oz. less than the quantity of meat above prescribed should be given:—fish may be substituted for meat once or twice a week, but 2 oz. of fish should be allowed over the allowance of meat.

The oatmeal or indian meal, and the coffee or cocoa may be sweetened with molasses.

Carrots and parsnips may be occasionally substituted for potatoes.

Boys under 14 years of age should have the same allowance of food as the women.

In case of sickness.

In case of sickness the regulation of the diet of the prisoners shall be left exclusively in the hands of the medical officer of the prison.

## 5.

Separation of the sexes.

18°. Every prison shall be divided into two Departments, entirely separate and distinct, one for the males and the other for the females:—Whenever the keeper, or any other of the male officers of the prison shall be obliged to visit the apartments of the females, he shall be accompanied by the matron, or acting-matron, or by some other female officer of the prison.

Cells, two kinds.

19°. Every prisoner should have a separate cell:—there are two kinds of cells, simple night

cells, and day and night cells :—The former class of cells are intended for prisoners who are kept in their cells during the night only, and the latter (which are larger than the former) are intended for prisoners who are confined in their cells continuously both day and night.

20°. The prisoners when inside the prison walls should always be locked up, either in their cells or in the day rooms, and an officer of the prison should be always at or near the principal door of the prison, particularly when any other officer is obliged to go into the day rooms, in order that he may be at hand if required to help such other officer.

21°. An officer of the prison should, whenever it is practicable, sleep near the principal door of the prison, so as to be able to hear any unusual noise that may be made in the prison, and to afford help in case of sickness, fire or any other accident. Where from the defective construction of the building, or from any other cause, this precaution cannot be taken, it will be the duty of the keeper of the gaol to see that the prisoners are provided with some means of giving the alarm in cases of emergency.

22°. Criminal prisoners may be classified under the following heads :—1° Unconvicted prisoners, arrested on a first charge. 2° Other unconvicted prisoners, and prisoners convicted upon a first charge. 3° Other convicted prisoners. 4° Hardened offenders, or prisoners convicted more than twice previously. 5° Prisoners of degraded habits, or disgusting exterior.

Classification of the prisoners.

23°. Debtors and prisoners committed for contempt of Court, witnesses for the Crown, and persons convicted of a misdemeanor of a political character, will form a distinct class, and shall not be obliged to wear the prison dress. They shall also be permitted to purchase or receive from

Special class.

Need not wear Gaol clothing.

persons outside, clothing, bedding and food, (excepting wine or fermented or spirituous liquors) subject always to the rules and regulations of the Prison.

Juvenile prisoners.

24 °. Juvenile prisoners, who are committed to prison either before trial, or while awaiting their removal to a Reformatory, should be kept entirely separate from all other prisoners, and should be watched with special but paternal care.

Prisoners sentenced to death.

25 ° Prisoners condemned to death shall have a suitable cell given to them in which they may receive the visits of their spiritual adviser, and have an opportunity of devoting themselves in quiet to their religious duties, assisted by their Clergyman or such other benevolent persons as they may desire to see.

Lunatics.

26 °. Under our present Laws, unfortunate lunatics are frequently placed, provisionally, in prison, while there they should be treated with all tenderness and care, and bestowed as comfortably as circumstances will permit. It is, however, to be recollected that a Common Prison is altogether unsuited for these afflicted creatures, and it is therefore the duty of the Sheriff to take such steps as the law prescribes for the early removal of persons of this class to a proper Lunatic Asylum.

Two principal categories of prisoners.

27 °. In addition to the foregoing classification all the prisoners may be divided into two principal categories, viz: 1st. Those who are always in separate confinement; 2ndly, Those who are together during the day, but separated during the night.

What prisoners should be continuously confined.

28 °. The former of these two principal categories should include generally the best and the worst prisoners in the Gaol. The best are to be kept in separate confinement in order that they may not be contaminated, and the worst, in order that they may not contaminate others. As a

general rule juveniles and persons arrested on a first charge, should be considered as among the best, and should, consequently, be kept constantly in separate confinement.

29°. All means of classifying prisoners are necessarily imperfect, and sometimes wholly illusory, nor can the best system ever supersede the necessity for active and incessant vigilance on the part of the officers of the Prison.

30°. Labour is compulsory on all prisoners who are sentenced to hard labour, it will be optional for all other prisoners. These latter the Gaoler shall invite to hard labour, with a view alike to their reformation and their health. Hard labour.

31°. The kinds of labour on which the prisoners should be employed will be determined according to circumstances, by the Sheriff and Keeper of the Gaol.

32°. The Sheriff and the Keeper of the Gaol shall also prescribe the hours for work for males, for exercise and for all other matters connected with the daily routine of the Prison. Matters of Routine.

33°. The punishments allowed in the Prison for breaches of prison discipline shall be: 1° The hard bed (but with proper covering) for an indefinite time; 2° Bread and water diet for a period of not more than five consecutive days; 3° The dark cell; 4° The chain. Punishments.

These punishments shall be inflicted by the keeper only or his deputy, and shall be regularly entered in the Punishment Book.

34°. The associated prisoners will not be prevented from talking together, but all loud talking and indecent language is prohibited, as is also all secret conversation among prisoners.

Things prohibited. 35 °. No spirituous or fermented liquors shall be allowed the prisoners, unless where specially prescribed by the Medical Officers.

No gambling shall be allowed in the Prison. No smocking shall be allowed in the Prison, except to the special class of prisoners referred to in preceding rules. No immoral or frivolous books shall be allowed into the Prison.

36 °. Subject to the exceptions already made, prisoners will not be allowed to keep any articles of personal property for their private use in Prison, except such books or other articles as may be approved by their respective Chaplains, or by the Authorities of the Prison, or such other matters as the Medical Officer may deem proper or necessary for them.

Reading. 37 °. All prisoners will be permitted to read (within the hours prescribed by the rules for that purpose) books supplied from the Prison Library, or by the friends of the prisoners, or by benevolent persons, and approved of by their respective Chaplains.

Trafficking forbidden 38 °. All trafficking among prisoners, either as to their rations or work, is forbidden. Any inequalities either as to food, or work of prisoners should be remedied by the Keeper of the Prison in the exercise of the discretion allowed him in such matters.

Privies, &c. 39 °. Whenever it is practicable the night buckets and the privies in the Gaol Yard should be used in preference to the privies inside the Building. The latter should only be used as a matter of necessity, and as seldom as possible. This branch of the Prison service demands special attention, and the use of abundance of water.

Prisoners washed, &c., on admission. 40 °. Every prisoner on his admission into the prison, shall (if it be necessary) be thoroughly washed and cleaned. In cases where the rules

require it he shall then be dressed in the Gaol clothing. His own apparel and the other articles on his person shall then be carefully collected, cleaned, and put away in some safe place, with a view to their being returned to the prisoner on his leaving the Prison. And the keeper of the Gaol shall provide a special book in which he shall enter a list of the articles belonging to each prisoner on his reception in the Prison; and their delivery to the prisoner on his departure from the prison should also be duly certified in this Book.

Their Effects.

41 °. The Sheriff shall make such rules as he may think proper as to the sending or receiving of letters by the prisoners, and as to the admission of Visitors to see them.

Letters and visitors.

Visits should always take place in the presence of an officer of the Prison.

The Rules and Regulations respecting visitors should be such as to be consistent with the maintenance of good order and discipline in the Prison, but should not interfere in any way with the visits of clergymen or of the legal advisers of the prisoners.

42 °. In case of the serious illness of any prisoner, the Keeper of the Gaol should notify the fact to such of the prisoner's friends, as the prisoner may desire to be informed of it, and in case of the death of a prisoner, he shall, at once, notify the fact to a Coroner of the District or County.

Case of sickness or death.

43 °. The Keeper of the Gaol shall furnish every officer of the prison with a Copy of the Rules, he shall also have a Copy of them hung up in some conspicuous place in his office. He shall moreover read to every prisoner on his reception in the Prison, such of the Rules as relate to the conduct and punishment of prisoners, their maintenance dietary and clothing, the work and duties which they are required to

perform, and a Copy of the portion of the Rules thus read to the prisoners should be hung up in the cell of every prisoner who can read.

Case of impossibility of carrying out Rules.

44 °. When from defective arrangement of the Prison, from the inadequacy of the accommodation, or from any other cause, the Keeper of the Gaol finds himself unable to carry out any important part of the Rules, he shall without delay notify the Inspectors of the fact, with a view to their taking such steps as may be in their power to cause the necessary alterations to be made.

45 °. Where the number of cells is not sufficient to allow a separate cell for each prisoner. Each such prisoner who cannot be placed in a separate cell should be put in a cell with two other male prisoners at least, each prisoner having a separate bed.

Annual Inventory.

46 °. At the close of every year the Keeper of the Gaol shall make an inventory in detail of all the property of the Prison, stating the condition of each article.

Annual Return.

47 °. The Keeper of the Prison should also transmit to the Secretary of the Board, on or before the 25th day of January every year, an Annual Return of the State of the Prison for the previous calendar year, with information respecting the discipline of the Prison, and other matters, and such short remarks or suggestions connected therewith as he may think fit to make, such Return shall be in such form as may be prescribed by the Board.



