

The Provincial Statutes of Lower-Canada, Being the first session of the seventh Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1811.

51 George III – Chapter 17

An Act for erecting a Common Gaol with its dependencies in the District of Three-Rivers, and to provide the means for defraying the expences thereof.

21st March, 1811. Presented for His Majesty's Assent and reserved, "for the signification of His Majesty's pleasure thereon."

18th December, 1811. Assented to, by His Royal Highness the Prince Regent in the name and on the behalf of His Majesty in his Privy Council.

6th May, 1812. His Royal Highness the Prince Regent's Assent in the name and on the behalf of His Majesty, signified by Proclamation of His Excellency, the President.

MOST GRACIOUS SOVEREIGN,

Whereas the present Common Gaol of the District of Three-Rivers [Trois-Rivieres] is insufficient for the reception and safe Custody of Prisoners, and that a New Common Gaol for the District of Three-Rivers is indispensably necessary; AND WHEREAS your Majesty, in your paternal regard for the welfare of your loyal subjects, hath been graciously pleased to give your Royal Attention to the representation which have been made relative to the said Common Gaol : May it therefore please your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America,' and to make further provision for the Government of the said Province," and it is hereby enacted by the authority aforesaid, that it shall and may be lawful to and for the Governor, Lieutenant Governor or the person administering the government of this Province, for the time being, by an instrument under his hand and seal at arms, to appoint in the said District of Three-Rivers, three persons to be Commissioners, for erecting a Common Gaol with all its dependencies, to be erected in pursuance of this Act in the said District, and a person to act as Treasurer and Clerk to the said Commissioners in the said District, to remove from time to time the said Commissioners, Treasurer and Clerk, or any of them, and to appoint others in the place and stead of such as shall be removed or shall die, or resign their trust. Provided always, that no Judge or Clerk of the Court of King's Bench, for the said District of Three-Rivers, shall exercise the said office of Commissioners or of Treasurer, for conducting the building of the said Gaol.

II. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of this Province, to allow to the person to be appointed Treasurer and Clerk as aforesaid, a sum not exceeding two hundred pounds, to be paid from the sum herein appropriated for erecting the said Common Gaol with all its dependencies, as a compensation for his services during the construction of the said Gaol.

III. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the said Commissioners or any two of them, in the said District, and they are hereby required to cause to be erected and finished one strong and substantial Common Gaol with all its dependencies, on the lot of ground in the said Town of Three-Rivers, belonging to His Majesty, and intended to be appropriated by His Majesty for that purpose. Provided always, that the sum to be expended, by virtue of this Act, in and about the building of a Common Gaol with all its dependencies, in the said District of Three-Rivers, shall not exceed Ten thousand pounds, current money of this Province, to which said sum the said Commissioners are hereby expressly limited and restrained.

IV. And be it further enacted by the authority aforesaid, that before the building of the said Common Gaol with all its dependencies, shall be commenced, the said Commissioners or any two of them in the said District shall and they are hereby directed to cause a Plan of the said Gaol with all its dependencies, with an estimate of the expence of erecting the same to be made, which plan and estimate, shall by the said Commissioners or any two of them in the said District, be laid before and approved of by the Governor, Lieutenant Governor or person administering the Government of the Province for the time being, and after such approbation, it shall and may be lawful for the said Commissioners or any two of them in the said District, from time to time to agree by Contract or Contracts, in writing or otherwise, in their discretion with any person or persons, as well for conducting and inspecting the works as for providing materials and hiring workmen, and labourers and for the building of the said Common Gaol with all its dependencies, in the said District, and for the building of such part or parts of such Common Gaol with all its dependencies, as and for which the said Commissioners or any two of them, in the said District, shall think it expedient to contract or agree. Provided always, that previous to making any Contract or Contracts in writing, fourteen days notice at least, shall be given in one or more of the public Newspapers, printed within the Cities of Quebec and Montreal, expressing the object and intention of such Contracts and the time and place for receiving proposals for the same.

V. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government for the time being, by warrant or warrants under his hand and seal, directed to the Receiver General of this Province, to issue to the Commissioners or any two of them to be appointed by virtue of and under the authority of this Act a sum of money not exceeding ten thousand pounds current money of this Province, out of any unappropriated monies which now are or hereafter may be in the hands of the said Receiver General, and which have been or shall be levied or collected under or by virtue of an act passed in the forty-fifth year of your Majesty's reign, intituled, "An Act for erecting of a Common Gaol in each of the Districts of Quebec and Montreal respectively and the means for defraying the expences thereof" which sum of money as aforesaid shall be applied towards the building and compleating the said Common Gaol with all its dependencies for the District of Three Rivers, on such plan as shall combine therein the advantages of security and salubrity.

VI. And be it further enacted by the authority aforesaid, that the said Commissioners in the said District from time to time when thereunto required, shall account to the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, for the application and expenditure of all and every the sum or sums of money to be advanced to them and distributed by them in the erection and finishing of the said Common Gaol with all its dependencies, in such manner and form as the Governor, Lieutenant Governor or the person administering the Government of this Province for the time being, shall appoint and direct.

VII. And be it further enacted by the authority aforesaid, that the said Gaol when erected as aforesaid, shall be and become the Common Gaol for the District of Three Rivers, and the Sheriff of the said District for the time being shall have the keeping of the said Gaol, and when and so soon as the said Gaol shall be fit for the reception of prisoners the said Commissioners or any two of them shall cause notice thereof to be given to the Sheriff of the said District who shall with all convenient force remove to such Gaol all such prisoners as shall be then in his custody.

VIII. And be it further enacted by the authority aforesaid, that the due application of the said monies pursuant to the directions of this Act, shall be accounted for to His Majesty, his heirs and successors through the Lords Commissioners of His Majesty's Treasury in such manner and form as His Majesty shall direct.