

C H A P. 5

An Act respecting the contract entered into between the Government and *Les Dames Religieuses de Notre Dame de Charité du Bon Pasteur de Montréal* for the custody and maintenance of the prisoners confined in the women's gaol at Montreal

[Assented to, 17th of March, 1919]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The contract, hereinafter set forth as Schedule A, respecting the care and maintenance of the prisoners confined in the women's gaol at Montreal, passed on the ninth day of January, nineteen hundred and nineteen, before Napoleon Edouard Lacourcière, notary, between the Government of the Province of Quebec and *Les Dames Religieuses de Notre Dame de Charité du Bon Pasteur de Montréal*, is approved and ratified.

2. This act shall come into force on the day of its sanction.

SCHEDULE A

BEFORE:

ME NAPOLEON EDOUARD LACOURCIERE, Public Notary for the Province of Quebec, residing and practising in the village of St. Casimir, district of Quebec, the undersigned,

CAME AND APPEARED:

HIS MAJESTY THE KING, in right of the Province of Quebec, herein represented by CHARLES LANCTOT, Esquire, King's Counsel, and Deputy Attorney-General of the Province of Quebec, to the effect of these presents duly authorized by an order of the Lieutenant-Governor in Council, No. 1746, dated the 27th of December last, 1918, hereinafter called "The Government,"

Par'y of the first part,

AND

LES DAMES RELIGIEUSES DE NOTRE DAME DE CHARITÉ DU BON PASTEUR, a corporation lawfully constituted by the act 9 Victoria, chapter 91, and having its principal establishment in the city of Montreal, hereto represented by *la Très Honorée Mère Marie de Saint Ferdinand Dagenais*, in religion (née Angelina Dagenais), Prioress of the asylum of Sainte-Darie, duly authorized in virtue of a resolution passed on the 29th of December last by the Provincial Sister Superior and the religious councillors of the said corporation, a certified copy of which resolution is hereto annexed, after having been certified as a true copy and signed by the said Soeur Marie de Saint-Ferdinand (the said *Dames Religieuses* contracting with the authorization of His Highness Monseigneur Paul Bruchesi, Roman Catholic Archbishop of Montreal), hereinafter called '*Les Dames Religieuses*.'

Party of the second part,

Which parties have declared:

Whereas by a deed passed before Cyrille Tessier, notary, at Quebec, the ninth day of May, 1890, the said parties have, amongst other things, entered into a contract with respect to the care and maintenance of the prisoners whom the government will entrust to them, subject to the charges, clauses and conditions set forth in the said deed, for a period of five years, from the first of May then instant, the government reserving the right to renew the said contract for one two, three, four or five periods or terms of five years;

Whereas on account of the present cost of the necessities of life, it is just and equitable that changes be made in the existing contract;

The said parties hereby enter into the following contract, that is to say:

1. The *Dames religieuses* bind themselves to take in and care for, in the building at present used for that purpose, and in the dependencies thereof, the female prisoners whom the government may entrust to them, under the conditions hereinafter mentioned, for a period of five years from the first of January one thousand nine hundred and nineteen, and further agree to continue these obligations and all their engagements towards the government and the said female prisoners, for one or two additional periods of five years, if the government so desires, the silence of the government at

the expiration of each of the said periods, except the last, being interpreted to mean an extension of five years of the said agreement.

2. The *Dames religieuses* (a) undertake to make all repairs, both great and minor, and even to carry out any reconstruction which is or may hereafter be necessary in connection with the present prison, so long as it shall serve as a prison for women; (b) undertake also to make repairs, both major and minor, and reconstructions and renewals, if such are or become necessary, of the dependencies, structures, enclosure walls, fences, conduits, drains, etc., as well as the heating, cooking, lighting and waterworks apparatus, etc., of the said prison, and, generally, to provide for all the expense of maintenance, and other expenses of the establishment, so long as it shall continue to be used as at present; (c) agree to supply and maintain the furniture necessary for the Roman Catholic department of the said prison, and for all the persons who shall inhabit it, and to continue all and each of their present obligations, save and except the changes made in these obligations by the present deed, as well as the new obligations also stipulated in the present deed, with respect to the Roman Catholic and Protestant prisoners, whom the government may place in their charge, and towards the government itself.

3 During the whole duration of the period or periods above mentioned, the *Dames religieuses* shall be bound to furnish the lodging, the fuel (for heating only), the light and water for the Protestant prisoners and their matrons, and to lodge, clothe, wash, feed, heat, light, supply furniture, beds, bedding, etc., to the Roman Catholic prisoners, the whole in conformity with general prison regulations, and to continue to carry out all and each of their present obligations towards the prisoners without distinction.

4. The *Dames religieuses* shall themselves pay all guards, servants and employees whom they shall require for the department of the Roman Catholic prisoners, but the government may demand the dismissal of an incompetent employee.

The exterior guard of the two departments (Roman Catholic and Protestant) shall be entrusted to the *Dames religieuses*. The government undertakes to pay to the *Dames religieuses* the sum of two hundred and forty dollars per month for the salary of four guards who look after the two departments (Roman Catholic and Protestant), the government not being liable to pay any additional sum if the amount required for these guards be increased, or if additional guards become necessary.

5. The matrons or guards of the department of the Protestant prisoners shall be lodged, supplied with light, etc., by the *Dames religieuses*, as set forth in clause 3 of the present deed, but they shall be paid by the government.

6. The *Dames religieuses* shall be subject, in so far as the prison is concerned, to the general prison regulations now in force, to the authority of the sheriff, and to the notices and instructions of the prison inspectors. Should new regulations or new instructions be issued, entailing additional expense, it shall be borne by the government.

The *Dames religieuses* shall also furnish the medicines and remedies for the sick prisoners in the Roman Catholic department.

7. The product of the labour of the Roman Catholic prisoners shall belong to the *Dames religieuses* who shall supply at their own expense the materials necessary for this work.

8. In case of the death of any of the Roman Catholic prisoners under their care, the *Dames religieuses* shall provide for their burial, and in case of the escape of any of their prisoners, Roman Catholic or Protestant, they shall be obliged to at once notify the sheriff, and to cause to be made, at their own expense, and with all diligence, all possible searches and inquiries in order to recapture them and reincarcerate them.

9. The chaplain of the prison shall be appointed by His Highness the Roman Catholic Archbishop of Montreal, but his salary shall be paid by the government. The Protestant chaplain and physician shall be appointed and paid by the government as heretofore.

10. In consideration of the obligations above contracted by the *Dames religieuses*, parties of the second part, the government undertakes to pay to the *Dames religieuses* for each of the Roman Catholic prisoners under their charge, the sum of eleven dollars per month of imprisonment in the said prison, the fractions of months to be paid *pro tanto*; and the sums which shall thus become payable to the *Dames religieuses* shall be payable at the office of the Provincial Treasurer, in monthly instalments, on production of accounts duly certified by the sheriff.

11. The government shall pay to the *Dames religieuses*, over and above the amounts which shall become due under the preceding clause, a fixed sum of one hundred and fifteen dollars per month, for the rent, cost of lighting by gas, coal for heating, water, insurance, part of the salary of an engineer, during the whole time that the Protestant prisoners shall be entrusted to the care of the said *Dames religieuses*

by the said government. This paragraph shall be considered as taking effect from the first of September, 1918.

DONE AND PASSED, in the city of Montreal, the ninth day of January, in the year one thousand nine hundred and nineteen, for the said Dame Marie de St. Ferdinand, es-qualité, and for the said Charles Lanctot, Esquire, ès-qualité, the fifteenth day of January, one thousand nine hundred and nineteen, in the city of Quebec, under the number eleven thousand four hundred and eighty of the records of the undersigned notary, and the said contracting parties have signed with us notary after deed read.

(Signed) CHARLES LANCTOT,
 “ ST. MARIE DE ST-FERDINAND DAGENAIS,
Superior,
 “ N. E. LACOURCIERE, *N.P.*

True copy of the minute of these presents remaining of record in my office.

N. LACOURCIERE, *N.P.*

Copy of the report of a committee of the Honourable Executive Council, dated the 24th of December, 1918, approved by the Lieutenant-Governor on the 27th of December, 1918.

On the signature of a contract between the government and the *Dames Religieuses du Bon Pasteur*, at Montreal.

No. 1746.

The Honourable the Attorney-General, in a memorandum dated the 24th of December, (1918,) recommends:—

That Mr. Charles Lanctot, K.C., Deputy Attorney-General, be authorized to sign with the *Dames Religieuses de Notre Dame du Bon Pasteur*, of Montreal, a contract in conformity with the tenor of the draft annexed to the said memorandum, relating to the care and maintenance of those detained in the women's prison of Montreal.

Certified, (Signed) A. MORISSET,
Clerk Executive Council.

Certified correct, (Signed) CHARLES LANCTOT,
 N. E. LACOURCIERE, *N. P*

True copy of the said report the authentic copy of which certified correct, signed and annexed to the minute of the agreement of which the foregoing is a copy; the whole

being in the possession of Mr. N. E. Lacourciere the undersigned notary.

N. E. LACOURCIERE, *N.P.*

Hail Jesus and Mary

Authorization

We the undersigned Provincial Superior and Religious Councillors of this Provincial Monastery of *Notre Dame de Charité du Bon Pasteur* at Montreal, sitting in council this twentieth day of December, one thousand nine hundred and eighteen, hereby authorize the Très Honorée Mère Marie de St-Ferdinand Dagenais, Prioress of the asylum of Sainte-Darie, to sign a contract with the Provincial Government, respecting the women's prison called the asylum of Sainte-Darie.

(Signed) SOEUR MARIE STE. THERESE D'AMOUR,
Councillor.
“ SR. M. HELENE DE LA CROIX LEGRIS,
Councillor,
“ SR. MARIE DE LA TRINITE CARON,
Councillor,
“ SR. MARIE DE ST. VICTOR LAURIN,
Assistant,
“ SR. M. DE ST. JOSEPH DE BETHLEEM,
BEAUCHEMIN,
Provincial Superior.

Provincial Monastery of the Good Shepherd,
Montreal, 20th December, 1918.

Examined and approved.

(Signed) † PAUL ARCH. OF MONTREAL.

True copy of the said authorization, an authentic copy of which, certified correct, signed and annexed to the minute of the agreement of which the foregoing is a copy, the whole being in the possession of Mr. N. E. Lacourciere, the undersigned notary.

(Signed) N. E. LACOURCIERE, *N.P.*

(At the end of the said authorization there is the following certificate):

“Certified true and correct.

(Signed) SR. MARIE DE ST FERDINAND DAGENAI, *Superior.”*

(Signed) N. E. LACOURCIERE, *N.P.*

True copy.

N. E. LACOURSIERE, *N.P.*