

## **DONALD FYSON, "PRISON REFORM AND PRISON SOCIETY: THE QUEBEC GAOL, 1812-1867"**

**In Louisa Blair, Patrick Donovan and Donald Fyson, *From Iron Bars to Bookshelves: A History of the Morrin Centre* (Montreal: Baraka Books, 2016): 15-103.**

### **REFERENCES**

References are arranged by section and subsection. Only the principle sources used are indicated here. For a general overview of the sources used, see the section "A note on sources" in the text (p.100-103). Secondary sources listed there are given only in short form below. I have integrated references to the unpublished research reports only when they provide information not in the original sources that I consulted. Image sources are indicated on the last page of the book and are not repeated here. The references are up to date as of August 2018.

### **Abbreviations**

BAnQ	Bibliothèque et Archives nationales du Québec
BAnQ-Q	BAnQ, Centre d'archives de Québec
JHALC	Journals of the House of Assembly of Lower Canada
JLAPC	Journals of the Legislative Assembly of the Province of Canada
LAC	Library and Archives Canada

### **INTRODUCTION (15-16)**

- For the Latin inscription, Le Moine, *Quebec Past and Present: 426 and Picturesque Quebec*: 117. My thanks to Didier Méhu for the translation.
- On the 1868 renovation, see the section on Morrin College by Patrick Donovan.

### **STORIES**

#### **Philippe Aubert de Gaspé (17-19)**

- Donald Fyson, "Les malheurs juridiques de Philippe Aubert de Gaspé", in Claude La Charité (ed), *Les Anciens Canadiens 150 ans après. Préfigurations, représentations et réfractations* (Québec: Presses de l'Université du Québec, 2019) (forthcoming).
- quote (Aubert de Gaspé): Philippe Aubert de Gaspé, *The Canadians of Old* (Quebec: G. & G.E. Desbarats, 1864): 146.

#### **Lucy Noyes (19-20)**

- BAnQ-Q E17,S1 (gaol registers), 1831-1840; BAnQ-Q TL31,S1,SS1 (records of the office of the Clerk of the Peace), #s 65661, 65724, 69222, 69223, 153024, 153224, 162476; Fyson, "Les malheurs juridiques de Philippe Aubert de Gaspé". Noyes' illiteracy is indicated in the gaol registers.

## BEFORE THE GAOL

### French prisons in Canada (21-23)

- André Lachance, *La justice criminelle du roi au Canada au XVIII<sup>e</sup> siècle: tribunaux et officiers* (Québec: Presses de l'Université Laval, 1978), especially 53-58; Moussette, *Le site du Palais de l'intendant*: 64, 79-80, 82, 112-115; Isabel M. Calder, *Colonial Captivities, Marches and Journeys* (New York: Macmillan, 1935); Gray, "Captives in Canada": 18-43.
- quote (Johnson): *A Narrative of the Captivity of Mrs. Johnson Containing An Account of Her Sufferings During Four Years with the Indians and French*, 2d ed. (Windsor: Alden Spooner, 1807): 95. See also Amy Kristen Ott-Kimmel, "'A Narrative of the Captivity of Mrs. Johnson': An Edition" (Ph.D., University of Delaware, 2001) and Donald Fyson, "Susannah Willard Johnson", <<http://www.morrin.org/en/prisonniers-eleves-et-penseurs-susannah-willard-johnson/>>.

### British prisons in Quebec (23-24)

- Seán McConville, "Local Justice: The Jail", in Morris and Rothman (ed), *The Oxford History of the Prison*: 297-327; Donald Fyson, "The Canadiens and the Bloody Code: Criminal Defence Strategies in Quebec after the British Conquest, 1760-1841", *Quaderni Storici* 47(3)(2012): 771-795; Donald Fyson, "Beccaria contre Howard? La réforme pénale au Québec, 1760-1841" <<http://www.profs.hst.ulaval.ca/Dfyson/Beccaria.pdf>> (unauthorized shortened version published in Michel Porret and Elisabeth Salvi (ed), *Cesare Beccaria. La controverse pénale (XVIIIe-XXIe siècles)* (Rennes: Presses universitaires de Rennes, 2015); Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge: Cambridge University Press, 2003): 109-196; Joanna Innes, "Prisons for the Poor: English Bridewells, 1555-1800", in Francis Snyder and Douglas Hay (ed), *Labour, Law, and Crime: An Historical Perspective* (London: Tavistock Publications, 1987): 42-122.

### The Royal Redoubt (24)

- Moussette, *Le site du Palais de l'intendant*: 125; André Charbonneau et al., *Évolution structurale du Parc de l'Artillerie et du Bastion Saint-Jean, Québec: 1749-1903* (Ottawa: Parcs Canada, 1974): 42; LAC RG8 vol. 599: 42; BAnQ-Q TL18,S1,SS1 1768 #74; Noppen et al., *Québec, trois siècles d'architecture*: 151. Catherine Ferland and Dave Corriveau, *La Corriveau: de l'histoire à la légende* (Québec: Septentrion, 2014). Some confusion has arisen between the Dauphin Redoubt and the Royal Redoubt, due in part to a faulty identification in the early nineteenth century (LAC RG8 vol. 599: 42; JHALC 11(1803): 268), but there is no doubt that the common gaol was situated in what almost every map of the period calls the Royal Redoubt. For further discussion of the confusion in names, see José Doré, "Les casernes Dauphine", *Québecensia* 35(2)(2016): 12-15.

### Life in a pre-reform prison (24-26)

- The descriptions here are taken from multiple documents, mainly in LAC RG1 E15A and RG4 A1, BAnQ-Q TL18,S1,SS1 and British Library Add MS 21661-21889 (LAC MG21). These include the gaoler's and sheriff's accounts, calendars of prisoners, and correspondence with colonial authorities.
- quote (debtors): BAnQ-Q TL18,S1,SS1 1768 #74.
- quotes (gaoler): BAnQ-Q TL18,S1,SS1 1783 #231.

### ***Other prisons (26)***

- On the Recollect convent: LAC RG4 A1: 7614; John Joseph Henry, *An Accurate and Interesting Account of the Hardships and Sufferings of That Band of Heroes, Who Traversed the Wilderness in the Campaign Against Quebec in 1775* (Lancaster: William Greer, 1812): 123-124; Francis Maseres and Peter Livius, *The Case of Peter Du Calvet, Esq. of Montreal in the province of Quebeck ...* (London, 1784): 106-107, 127-128. On the seminary: Henry, *An Accurate and Interesting Account*: 125-139. On the Dauphin Redoubt: *ibid.*: 139-172; Louis Richer, *La redoute Dauphine à Québec* (Ottawa: Parcs Canada, 1973): 17-18. On the Artillery Barracks before 1787: account of Dunn, 1775-10-24, LAC RG1 E15A vol. 4 file "1775 - Public Works - Public Buildings"; LAC RG4 A1: 4716-4719; British Library Add MS 21816 (LAC MG21 B.156: 154).

### ***Replacing the Old Gaol (26)***

- LAC RG4 A1: 6895-6898, 6905-6908, 6972-6973; BAnQ-Q TL18,S1,SS1 1783 #231.
- quote (gaoler): BAnQ-Q TL18,S1,SS1 1783 #231.

### ***The Artillery Barracks (28-29)***

- Charbonneau *et al.*, *Évolution structurale du Parc de l'Artillerie*; LAC RG1 E15A vol. 10 file "1787 - Judicial Establishment"; LAC RG4 A1: 19559-19562; BAnQ-Q TL18,S1,SS1 1802 #509; BAnQ-Q TL31,S1,SS1: 6389.
- quote (grand jury): BAnQ-Q TL18,S1,SS1 1802 #509.

## **BUILDING THE GAOL**

### **Changing attitudes towards crime and punishment (30-31)**

- Jacques-Guy Petit, "Obscurité des Lumières: les prisons d'Europe, d'après John Howard, autour de 1780", *Criminologie* 28(1)(1995): 5-22; Anthony J. Draper, "Cesare Beccaria's Influence on English Discussions of Punishment, 1764-1789", *History of European Ideas* 26(3-4)(2000): 177-199; McConville, "Local Justice: The Jail"; Randall McGowen, "The Well-Ordered Prison: England, 1780-1865", in Morris and Rothman (ed), *The Oxford History of the Prison: 79-109*; Evans, *The Fabrication of Virtue*; Cesare Beccaria, *An Essay on Crimes and Punishments* (London: J. Almon, 1767); John Howard, *The State of the Prisons in England and Wales, with Preliminary Observations, and An Account of Some Foreign Prisons* (Warrington: William Eyres, 1777).

### ***John Howard comes to Quebec (33)***

- JHALC 11(1803): 16, 234-240, 260-272 and 12(1804): 214-216; BAnQ-Q TL31,S1,SS1: 881-882; Fyson, "Beccaria contre Howard?"; John D. Bessler, *The Birth of American Law: An Italian Philosopher and the American Revolution* (Durham: Carolina Academic Press, 2014). On imprisonment in eighteenth-century Quebec in general: Cellard, *Punishment, Imprisonment and Reform*; Fecteau, *Un nouvel ordre des choses*; Fyson, *Magistrates, Police, and People*.
- quote (Milnes): JHALC 11(1803): 16.

### **Politics and bureaucracy (33-34)**

- JHALC 13(1805): 188-200 and 16(1808): 18-20; LAC RG7 G15C vol. 13: 60; LAC RG8 vol. 599: 71-78 and vol. 703: 13; 45 Geo III c.13; Wallot, "La querelle des prisons".

### **Plans and architects (34-36)**

- JHALC 20(1812): 122-134; LAC RG4 A1: 30425-30428, 30542-30543; LAC RG7 G15C vol. 13: 50, 87; *Catalogue of English and French Books in the Quebec Library at the Bishop's Palace* (Quebec: New Printing Office, 1808): 16, 22; Karel *et al.*, *François Baillairgé et son oeuvre*; Proulx, "Examen du plan d'une maison de travail"; Noppen *et al.*, *Québec, trois siècles d'architecture, passim*; Nathalie Clerk, *Palladian Style in Canadian Architecture* (Ottawa: Parks Canada, 1984); Martin Lessard, "La transformation de la place d'Armes de la ville de Québec entre 1799 et 1804" (M.A., Université Laval, 2002).

### **Baillairgé versus Howard (36-37)**

- Howard's prescriptions are in *The State of the Prisons in England and Wales*: 38-68, which also includes his *Plan for a County Gaol*. See below for the Quebec gaol.
- quote (Howard): Howard, *The State of the Prisons in England and Wales*: 41.

### **Construction begins (37-38)**

- Detailed accounts for the construction of the gaol are in LAC RG1 E15A vol. 27 file "1815 - Commission for the Erection of the Gaol at Quebec" and in BAnQ-Q TL18,S2,SS1 1814 #137. The main notarial agreements are BAnQ-Q CN301,S26 #1000-1004, 1007, 1329-1331, 1336-1337; BAnQ-Q CN301,S230 #4860; and BAnQ-Q CN301,S158 1808-06-09. For a complete list, see Bouchard, Frigon, Lafond et Associés, *Rapport de conservation Ancienne prison de Québec*: 116-118 and Gobeil-Trudeau, *Dossier d'inventaire architectural de Morrin College*. See also account of Dunn, 1775-05, LAC RG1 E15A vol. 4 file "1775 - Public Works - Public Buildings"; LAC RG4 A1: 30592-30594, 30733-30734; LAC RG7 G15C vol. 13: 60, 77-78, 90; Gilles Langelier, "Bédard, Jean-Baptiste", *Dictionary of Canadian Biography* <[http://www.biographi.ca/en/bio/bedard\\_jean\\_baptiste\\_5E.html](http://www.biographi.ca/en/bio/bedard_jean_baptiste_5E.html)>; Raymonde Gauthier, "Cannon, Edward", *ibid.* <[http://www.biographi.ca/en/bio/cannon\\_edward\\_5F.html](http://www.biographi.ca/en/bio/cannon_edward_5F.html)>; Christina Cameron, "Cannon, John", *ibid.* <[http://www.biographi.ca/en/bio/cannon\\_john\\_6E.html](http://www.biographi.ca/en/bio/cannon_john_6E.html)>; Yvon Thériault, "Romain, François", *ibid.* <[http://www.biographi.ca/en/bio/romain\\_francois\\_6E.html](http://www.biographi.ca/en/bio/romain_francois_6E.html)>; Gilles Gallichan, "Pierre Bédard: le devoir et la justice. 1re partie: la liberté du Parlement et de la presse", *Cahiers des Dix* 63(2009): 101-160; Evelyn Kolish, "Le contexte juridique de l'emprisonnement de Pierre-Stanislas Bédard en 1810", *Bulletin d'histoire politique* 19(3)(2011): 34-42. For a detailed archeological analysis of the remains of the privies: Moss, *Recherches archéologiques sur le site de l'ancienne prison de Québec*.

### **Laying the cornerstone (38-39)**

- *Quebec Mercury* 1809-06-19; *Quebec Gazette* 1809-06-22.
- quotes: *Quebec Gazette* 1809-06-22.

### **BOX: Was the Quebec gaol Canada's first? (39)**

- JHALC 11(1803): 238, 12(1804): 204-216, 13(1805): 60-66, 16(1808): 510-518, 17(1809): 84-95 and 18(1810): 66-70; LAC RG4 A1: 36916-36917, 38161-38162, 38189.

### **Completing the building (39-41)**

- JHALC 20(1812): 122-134, 172-174, 24(1815) Appendix H and 26(1817): 184-188, 662-666; Mure to Cochran, 1815-03-18, LAC RG4 A1 vol. 142; Mure petition, 1816-02-01, LAC RG4 A1 vol. 151; Cannon petitions, 1816-03-06 and 1817-12-19, LAC RG4 A1 vol. 152 and 171; BAnQ-Q TL18,S2,SS1 1814 #137. On the opening of the gaol: LAC RG1 E15A vol. 27 file "1815 - Commission for the Erection of the Gaol at Quebec" #135; LAC RG4 A1:

38480-38483, 38504-38506, 38592-38593, 41016-41018; RG7 G15C vol. 18: 163, 261-262; *Quebec Mercury* 1812-12-01; *Quebec Gazette* 1812-12-10. The exact opening date has been the subject of many erroneous assertions, with even some contemporary published sources affirming 1813 or even 1814; see for example Joseph Bouchette, *A Topographical Description of the Province of Lower Canada* (London: W. Faden, 1815): 445; *Hawkins's Picture of Quebec*: 258; Le Moine, *Quebec Past and Present*: 425; Gale, *Historic Tales of Old Quebec*: 228.

- quote (Bouchette): Bouchette, *A Topographical Description of the Province of Lower Canada*: 445.
- quote (Mure): JHALC 24(1815): Appendix H #1.
- quote (Baillairgé): report of Baillairgé *et al.*, 1815-06-13, LAC RG1 E15A vol. 28 file "1816 - Sheriff" (author's translation; the report is in Baillairgé's hand).

#### **The building as it began life (41-42)**

- The description of the gaol, along with the hypothetical floor plans, are based on the construction records described above and the repair records described below, on a detailed presentation c.1840 of the building's internal divisions, "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960, and more generally on the full range of sources consulted. On the cellars: Sewell to Yorke, 1829-03-21, LAC RG4 A1 vol. 282; *Morning Chronicle* 1860-07-10; *La Presse* 1965-09-18; *Quebec Chronicle-Telegraph* 1968-08-10, 1971-07-28, 1971-08-24, 1980-06-18, 1982-11-17; Brown interview with Decarie, "Breakaway", CBC Radio 1989-03-15, BAnQ-Q P948 2009-03-006/4 folder #5 Médias 1932-2001.

#### **Repairs and additions (45-46)**

- On repairs, gas and water: JHALC 36(1826): 215-220, 290-291, 329-330; 6 George IV c.30; LAC RG1 E15A vol. 62 file "Public Buildings 1828"; LAC RG11 A1 vol. 3 #3252; LAC RG11 vol. 86 file 9; Lemieux to Head, 1855-10-03, LAC RG1 E7 vol. 42; LAC RG1 E1 vol. I: 154 and vol. P: 587; BAnQ-Q E17 1960-01-036/1692 "Gas lights"; BAnQ-Q E17 1960-01-036/1604 #49. On the women's prison: JHALC 38(1828-29) Appendix Z; Dénéchau and Sewell to Cochran, 1828-05-26, LAC RG4 A1 vol. 265; LAC RG4 C1 1850 #2422; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960; BAnQ-Q E17 1960-01-036/1606 #55 and 1960-01-036/1610 #65; BAnQ-Q TL31,S1,SS1 #76456; BAnQ-Q TP9,S1,SS1,SSS1 1855-07. On the guardhouse: LAC RG4 C1 1845 #262; LAC RG11 A1 vol. 6 #7590. On the other buildings: JHALC 34(1825): 33 and 35(1826): 216; grand jury presentment 1827-10-30, LAC RG4 A1 vol. 257; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960. Note that contrary to what is suggested in the text, the planned shed for firewood was in fact never built; a significant part of the yard was nevertheless fenced off as a wood yard. See also the archeological analysis of the yard in Moss, *Recherches archéologiques sur le site de l'ancienne prison de Québec*: 36-42.

## THE PEOPLE IN PRISON

### Prisoners and their crimes (47)

- Many of the discussions in this section are based on a database of prisoners incarcerated in the Quebec gaol, drawn from the gaol registers in BAnQ-Q E17,S1. For a detailed discussion of this source, see Donald Fyson and François Fenchel, "Prison Registers, Their Possibilities and Their Pitfalls: The Case of Local Prisons in Nineteenth-Century Quebec", *History of the Family* 20(2)(2015): 163-188. References to criminal justice in Quebec in general are based largely on Fecteau, *Un nouvel ordre des choses*; Fyson, *Magistrates, Police, and People*; and Dufresne, "La justice pénale". See also Donald Fyson, "Between the Ancien Régime and Liberal Modernity: Law, Justice and State Formation in Colonial Quebec, 1760-1867", *History Compass* 12(5)(2014): 412-432. Oliver, *Terror to Evil-Doers*: 319-354 provides useful comparison with local gaols in Ontario.
- quote (Sewell): Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586.

### Loose, idle, and disorderly (48)

- Apart from Fyson, Fecteau and Dufresne above, see also Mary Anne Poutanen, "Regulating Public Space in Early Nineteenth-Century Montreal: Vagrancy Laws and Gender in a Colonial Context", *Histoire sociale / Social History* 35(69)(2002): 35-58 and Donald Fyson, "The Judicial Prosecution of Crime in the Longue Durée: Quebec, 1712-1965", in Jean-Marie Fecteau and Janice Harvey (ed), *La régulation sociale entre l'acteur et l'institution: pour une problématique historique de l'interaction* (Québec: Presses de l'Université du Québec, 2005): 85-119.

### Disobedient sailors (49)

- Judith Fingard, *Jack in Port: Sailortowns of Eastern Canada* (Toronto: University of Toronto Press, 1982): 126-193; Florence Rousseau, "La répression du désordre dans une ville portuaire: l'exemple de la ville de Québec, 1850-1875" (M.A., Université Laval, 2017); Donald Fyson, "Prisoners' Graffiti, Quebec City Common Gaol", *The Identity of English-speaking Quebec in 100 Objects* <<http://100objects.qahn.org/content/prisoners-graffiti-quebec-city-common-gaol>>; BAnQ-Q TL31,S1,SS1 #s 94399, 94400, 96041 and 96042.

### Military prisoners, POWs and political prisoners (49-50)

- On military prisoners: Sewell to Craig, 1832-11-16 and 1833-04-08, LAC RG4 A1 vol. 395 and 406; LAC RG4 C1 1849 #2963, 1850 #2422 ; Lawrence Ostola, "A Very Public Presence: The British Army Garrison in the Town of Quebec 1759-1838" (Ph.D., Université Laval, 2007): 302-388; Marie-Ève Kirouac, "La garnison britannique à Québec, 1839-1871: étude des rapports sociaux entre militaires et civils" (M.A., Université Laval, 2011): 91-119; Donald Fyson, "Les soldats et la justice pénale ordinaire au Québec, 1764-1871", in Eric Wenzel and Eric de Mari (ed), *Les justices d'exception dans les espaces coloniaux (16<sup>e</sup>-20<sup>e</sup> siècles): la balance déséquilibrée de Thémis ultramarine* (Dijon: Éditions universitaires de Dijon, 2018)(forthcoming).
- On POWs: Donald Fyson, "Les prisonniers de guerre américains à Québec, 1812-1815", *Bulletin d'histoire politique* 25(2)(2017): 63-84.
- On political prisoners in Quebec in general in this period: Beverley Boissery, *A Deep Sense of Wrong: The Treason, Trials, and Transportation to New South Wales of Lower Canadian Rebels After the 1838 Rebellion* (Toronto: Osgoode Society for Canadian Legal History and Dundurn Press, 1995); Jean-Philippe Warren, *Les prisonniers politiques au Québec* (Montréal: VLB, 2013): 17-61. See also Jean-Charles Falardeau, "Parent, Étienne",

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<[http://www.biographi.ca/en/bio/parent\\_etienne\\_10E.html](http://www.biographi.ca/en/bio/parent_etienne_10E.html)> and Raymond Duchesne, "Chasseur, Pierre", *ibid.* <[http://www.biographi.ca/en/bio/chasseur\\_pierre\\_7E.html](http://www.biographi.ca/en/bio/chasseur_pierre_7E.html)>.

### ***Transportees (50)***

- There has as yet been no detailed study of transportation from Quebec in general. References are scattered through the various major sources consulted from the mid-1820s onwards, including orders for transportation, lists of transportees and accounts of costs. On the difficulty of finding ship captains willing to take prisoners: Sewell to Walcott, 1835-11-23, 1836-07-27 and 1836-10-28, LAC RG4 A1 vol. 464, 486 and 495. On the Shutters: Steven L. Cameron, *Hill Tales: Still Searching* (Sainte-Agathe-de-Lotbinière: Stephen L. Cameron, 2015): 41-67.

### ***The gaol as asylum (51)***

- On the committal of the insane in general: James E. Moran, *Committed to the State Asylum: Insanity and Society in Nineteenth-Century Quebec and Ontario* (Montreal: McGill-Queen's University Press, 2000): 141-166; Vincent Saint-Pierre, "Portes ouvertes sur l'institutionnalisation de la folie à Québec: étude de l'Asile de Beauport, 1845-1893" (M.A., Université Laval, 2017). The presence of the insane in the Quebec gaol generated a great deal of documentation. They were a frequent topic of grand jury presentments; for example, those of 1814-05-09 (BAnQ-Q TL18,S1,SS1 1814 #874), 1837-01-19 (BAnQ-Q TL31,S1,SS1 #76474), 1844-01-19 (BAnQ-Q TL31,S1,SS1 #76468), 1848-08 (BAnQ-Q TP9,S1,SS1,SSS1) or 1852-07-09 (*Morning Chronicle* 1852-07-12). For the specific examples given: Sewell to Craig, 1832-03-12 and 1832-04-09, LAC RG4 A1 vol. 377 and 379; LAC RG4 C1 1848 #3149 and 1863 #1435; BAnQ-Q TL31,S1,SS1 #105926. For general complaints of sheriffs and gaolers concerning the insane in the gaol: LAC RG4 C1 1848 #2174, 1852 #1447 and #1852; JLAPC 1852-53 Appendix HH: 31.
- quote (sheriff): LAC RG4 C1 1848 #2174.
- quote (grand jury): *Morning Chronicle* 1852-07-12.

### ***The gaol as a social service (52-53)***

- Grand jury presentments 1815-04-28, BAnQ-Q TL999 file "Juges de paix 1805-1820", 1836-01-19, LAC RG4 A1 vol. 468 and 1859-01-29, *Morning Chronicle* 1859-02-01; petition of inhabitants of Quebec, 1833, LAC RG4 A1 vol. 400; *Morning Chronicle* 1855-11-20; Earl of Durham, *Report on the Affairs of British North America*, Appendix A (London, 1839): 14-16; Rousseau, "La répression du désordre": 68-72. On Mary Gray: LAC RG4 C1 1847 #553; *Quebec Mercury* 1847-03-06.
- quote (grand jury): grand jury presentment 1836-01-19, LAC RG4 A1 vol. 468.

### ***The overall picture (53)***

- Based on the prisoners database.

### **BOX: How many prisoners? (54)**

- Prisoners database; Fyson, "Les prisonniers de guerre américains"; Fyson and Fenchel, "Prison Registers, Their Possibilities and Their Pitfalls"; Fyson, *Magistrates, Police, and People*: 342-343.

### **Extraordinary prisoners (54)**

- Information on individuals discussed here is also taken from their records in the prisoners database.

### ***François Marois dit Malouin (54-55)***

- BAnQ-Q P1000,S3,D1392; *Quebec Mercury* 1829-09-29 and 1829-10-03; Michel A. Noreau, *Le docteur L'Indienne: roman historique* (Cap-Saint-Ignace: Plume d'oie, 2003); Alex Gagnon, *La communauté du dehors. Imaginaire social et crimes célèbres au Québec (XIXe-XXe siècle)* (Montréal: Presses de l'Université de Montréal, 2016): 219-345.

### ***Charles Chambers (55)***

- F.R Angers, *Les révélations du crime ou Cambray et ses complices* (Québec: Fréchette, 1837); Gagnon, *La communauté du dehors*: 53-215; Donald Fyson, "Charles Chambers", <<http://www.morrin.org/en/prisonnieres-eleves-et-penseurs-charles-chambers/>>.

### ***Pierre Belleau (56)***

- Material regarding Belleau is scattered through the gaol registers and BAnQ-Q TP9,S1,SS1,SSS1 and TL31,S1,SS1; see also BAnQ-Q E17 1960-01-036/1679 #277; *Morning Chronicle* 1859-06-29, 1860-07-30, 1864-07-06, 1869-05-13, 1869-05-26, 1869-06-04, 1869-06-17, 1869-06-18; *Journal de Québec* 1869-08-10; *L'Opinion publique* 1870-04-28, 1870-05-05, 1871-02-23, 1871-03-02, 1871-03-09, 1873-09-25.

### ***Baron Fratellin (56-57)***

- BAnQ-Q E17,S37,D2958-D2970, D2973, D2974, D2977; BAnQ-Q TL31,S1,SS1 #122927-122928; BAnQ-Q TL999 files "Juges de paix 1834-1838" and "Banc du Roi sept-oct 1838"; Stuart to Goldie, 1839-04-16, LAC RG4 A1 vol. 579; Fratellin to Colborne, 1839-04-30, LAC RG4 A1 vol. 581; Young to Goldie, 1839-05-21, LAC RG4 A1 vol. 584; *Le Populaire* 1838-08-31; *Le Canadien* 1838-10-15, 1838-10-31, 1838-11-28, 1838-11-30, 1839-03-27, 1839-04-24, 1839-04-26; *Quebec Mercury* 1838-10-16, 1838-11-29, 1839-03-26; *Le Fantasque* 1838-11-24, 1839-06-03; John Neal, *Appeal from the American Press to the American People In Behalf of John Bratish Eliovich* (Portland: Argus Office, 1840); John Neal, "A Mysterious Personage", *Atlantic Monthly* 20(122)(1867): 658-669; L.S Stavrianos, "The Rumour of Russian Intrigue in the Rebellion of 1837", *Canadian Historical Review* 18(4)(1937): 367-373.

### **Ordinary Prisoners (58)**

#### ***Men and women (58)***

- Based on the prisoners database. See also Rousseau, "La répression du désordre": 68-91 and Donald Fyson, "Minority Groups and the Law in Quebec, 1760-1867", in G. Blaine Baker and Donald Fyson (ed), *Essays in the History of Canadian Law. Volume XI: Quebec and the Canadas* (Toronto: Osgoode Society for Canadian Legal History and University of Toronto Press, 2013): 298-301.

#### ***British and French (58-59)***

- Based on the prisoners database. See also Fyson, "Minority Groups and the Law": 281-298, 301-304.

#### ***Young and old (59-60)***

- Based on the prisoners database, along with "Statement of Subsistence", LAC RG1 E15A vol. 69 file "1829 - Sheriff - Quebec" and vol. 86 file "1836 - Sheriff - Quebec"; BAnQ-Q



E17 1960-01-036/1604 #36 and #49; 1960-01-036/1607 #58a; BAnQ-Q E17 1960-01-036/1665 to /1667 (registers of deaths in the prison); BAnQ-Q E17 1960-01-036/1968, bills and receipts from gaol suppliers 1857-; Sewell to Power, 1845-04-30, BAnQ-Q TL31,S1,SS1 #30665; *Quebec Gazette* 1845-02-12; JLAPC 1851 Appendix W B1; JLAPC 1852-53 Appendix HH: 77; JLAPC Sessional Papers 1865 #14: 92; BAnQ, Registre d'inhumation du Mount Hermon Cemetery  
 <[http://www.banq.qc.ca/archives/genealogie\\_histoire\\_familiale/ressources/bd/instr\\_cimetiere/hermon/index.html?id=HERMON\\_20170823](http://www.banq.qc.ca/archives/genealogie_histoire_familiale/ressources/bd/instr_cimetiere/hermon/index.html?id=HERMON_20170823)>.

- quote (grand jury): *Quebec Gazette* 1845-02-12.

### **The last walk (60-61)**

- Sheriff's accounts in LAC RG1 E15A vol. 34 file "1819 - Sheriff - Quebec", vol. 37 file "1820 - Sheriff - Quebec", vol. 43 file "1822 - Sheriff - Quebec", vol. 46 file "1823 - Sheriff - Quebec - Three Rivers", vol. 60 file "1827 - Sheriff - Quebec", vol. 69 file "1829 - Sheriff - Quebec"; LAC RG4 C1 1844 #875 and #1448; Laurent Audy, 1827-04-21, BAnQ-Q E17 1960-01-036/1694; JHALC 20(1820-1821): Appendix X; BAnQ-Q CN301,S294 #5578; Le Moine, *Picturesque Quebec*: 117; Fyson, "Les malheurs juridiques de Philippe Aubert de Gaspé"; Donald Fyson, "La peine capitale au Québec, 1759-1869: modèle européen ou spécificité coloniale?", in Eric Wenzel and Eric de Mari (ed), *Adapter le droit et rendre la justice aux colonies (16e-19e siècles)* (Dijon: Éditions universitaires de Dijon, 2015): 229-240; Donald Fyson, "The Spectacle of State Violence: Executions in Quebec, 1759-1872", in Elizabeth Mancke *et al.* (ed), *Violence, Order, and Modernity in Early Canada, 1749-1876* (Toronto: University of Toronto Press)(forthcoming); Donald Fyson, "John Meehan", <<http://www.morrin.org/en/prisonniers-eleves-et-penseurs-john-meehan/>>.

### **BOX: Prisoners executed in front of the Quebec gaol, 1812-1867 (62)**

- Based on my own ongoing research into capital punishment in Quebec.

### **Gaol staff (62)**

#### ***Sheriffs (62-63)***

- Correspondence and accounts of the sheriffs regarding the gaol are scattered through LAC RG1 E15A, RG4 A1 and RG4 C1 and BAnQ-Q E17.
- On Aubert de Gaspé: Jacques Castonguay, *Philippe Aubert de Gaspé: seigneur et homme de lettres* (Sillery: Septentrion, 1991); Jane Brierley (ed), *A Man of Sentiment: The Memoirs of Philippe-Joseph Aubert de Gaspé, 1786-1871* (Montreal: Véhicule Press, 1988); Roger Le Moine, "Philippe Aubert de Gaspé ou les affaires du 'bon gentilhomme'", *Cahiers des dix* 57(2003): 299-321; Fyson, "Les malheurs juridiques de Philippe Aubert de Gaspé".
- On Sewell: *Morning Chronicle* 1866-06-02; *Quebec Mercury* 1866-06-02; *Quebec Gazette* 1866-06-04; *Le Canadien* 1866-06-04; "Sheriff William Smith Sewell", <<http://www.sewellgenealogy.com>>; Pierre-Georges Roy, "Les shérifs de Québec", *Bulletin des recherches historiques* 40(7)(1934): 437; F. Murray Greenwood and James H. Lambert, "Sewell (Sewall), Jonathan", *Dictionary of Canadian Biography* <[http://www.biographi.ca/en/bio/sewell\\_jonathan\\_7E.html](http://www.biographi.ca/en/bio/sewell_jonathan_7E.html)>. For Sewell's views on imprisonment and on the gaol: LAC CO47 vol. 128-140, "Return of the Gaols ..." 1828-1840; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960; Sewell 1836-02-18, and Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 469 and 586; LAC RG4 C1 1840 #2235, 1848 #321 and 1850 #2422; JLAPC 1852-53 Appendix HH: 75-82.

- The other sheriffs were James Shepherd (to 1816); Thomas Ainslie Young (sporadically between 1824 and 1827, jointly with Sewell); and Charles Alleyn (1866-). See also France B. Sirois, "Shepherd, James", *Dictionary of Canadian Biography* <[http://www.biographi.ca/en/bio/shepherd\\_james\\_6E.html](http://www.biographi.ca/en/bio/shepherd_james_6E.html)>; Marcel Plouffe, "Young, Thomas Ainslie", *ibid.* <[http://www.biographi.ca/en/bio/young\\_thomas\\_ainslie\\_8E.html](http://www.biographi.ca/en/bio/young_thomas_ainslie_8E.html)> (but who is in error on the dates); Marcel Plouffe, "Alleyn, Charles Joseph", *ibid.* <[http://www.biographi.ca/en/bio/alleyn\\_charles\\_joseph\\_11E.html](http://www.biographi.ca/en/bio/alleyn_charles_joseph_11E.html)>.

#### **Gaolers (64)**

- The correspondence and accounts of the sheriffs (see above) includes much regarding the gaolers, including some of their own correspondence and accounts. There is also considerable material produced by the gaolers in the gaol records in BAnQ-Q E17, including account books, registers of notable events, etc.
- On Stanley: Stanley petitions, 1813-03-31 and 1815-03-23, LAC RG4 A1: 41016-41018 and vol. 142; BAnQ-Q TL31,S1,SS1 #6511 and 6516.
- On Reed: LAC RG4 A1: 38073; Aubert de Gaspé to Cochran, 1817-05-27, LAC RG4 A1 vol. 164; *Quebec Gazette* 1817-05-29.
- On Henderson: Aubert de Gaspé to Cochran, 1817-05-27, LAC RG4 A1 vol. 164; Young to Henderson, 1826-12-20, LAC RG4 A1 vol. 246; Young to Dalhousie, 1827-02-26, LAC RG4 A1 vol. 248; Sewell to Cochran, 1828-04-24, LAC RG4 A1 vol. 263; Henderson petitions, 1838-02-14, and to Colborne, 1838-02-22, LAC RG4 A1 vol. 531; BAnQ-Q TL31,S1,SS1 #s 180346-180348, 180356-180357 and 180455; JHALC 24(1825): Appendix U.
- On Jefferys: Sewell to Cochran, 1828-04-24, LAC RG4 A1 vol. 263; Jefferys petition, 1828-06-11, LAC RG4 A1 vol. 266; Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; Jefferys petition, 1831-02-05, LAC RG4 A1 vol. 351; papers re Jefferys' committment, LAC RG4 A1 vol. 564 file "1838-12 Special"; Sewell to Goldie, 1839-05-18, LAC RG4 A1 vol. 584; JHALC 41(1831-1832): Evidence, 1831-12-28; *Quebec Mercury* 1838-11-24; *Le Canadien* 1838-11-26; *Quebec Gazette* 1839-05-17.
- On James Maclaren: Sewell to Goldie, 1839-05-27, LAC RG4 A1 vol. 585; LAC RG4 C1 1855 #628 and #1234 and 1857 #1566; *Morning Chronicle* 1857-06-27; *Quebec Mercury* 1857-06-27.
- On William Mark Maclaren: LAC RG4 C1 1857 #1594; *Quebec Mercury* 1857-07-02; *Saturday Budget* 1895-02-16.

#### **BOX: A dynasty of gaolers - the Hills and the Reeds (65)**

- In general: Executive Council report, 1817-10-24, LAC RG4 A1 vol. 169.
- On John Hill: Hill petition, 1787-11-10, LAC RG1 E15A vol. 11 file "1788 - Reports on Public Accounts"; *Quebec Mercury* 1805-02-10.
- On John Samuel Hill: LAC RG4 A1: 25856-23857; *Quebec Mercury* 1805-08-10.
- On Abigail Reed: *Quebec Mercury* 1806-02-24; BAnQ-Q TL31,S1,SS1 #126961.

#### **Turnkeys (65-66)**

- The names of the turnkeys and superintendents of work, and details of their individual service can be gleaned from the accounts and correspondence of the sheriffs and the gaolers, discussed above. On turnkeys and superintendents of work in general: LAC RG4 A1: 41160-41162 ; Jefferys to Sewell, 1831-01-22, LAC RG4 A1 vol. 349; Sewell to Glegg, 1831-01-24, LAC RG4 A1 vol. 350; Jefferys to Sewell, 1836-02-08, LAC RG4 A1 vol. 469; Sewell to

Walcott, 1837-04-12 and 1837-08-17, LAC RG4 A1 vol. 507 and 517; Sewell to Goldie, 1839-05-27, LAC RG4 A1 vol. 58; LAC RG4 C1 1840 #7590, 1841 #7866, 1853 #59, 1854 #1410 and #2386, 1855 #1287, 1857 #866 and #2269; BAnQ-Q TP11,S1,SS18; JHALC 34(1825) Appendix U, 41(1831-1832): Evidence, 1831-12-28. On Kelly: Sewell to Craig, 1833-06-07, LAC RG4 A1 vol. 410. On Roberts: Lawrence to Maclaren, 1848-11-10, BAnQ-Q E17 1960-01-036/1956. On Henchey: *Saturday Budget* 1895-12-28.

- quote (sheriff): Sewell to Yorke, 1830-02-03, LAC RG4 A1 vol. 310.

### **Matrons (66)**

- Information on the matrons is found in the same sources as for the turnkeys; they are also frequently mentioned in the grand jury presentments. See also Quebec Gaol Association petition, 1830-01-29, LAC RG4 A1 vol. 309; Sewell to Yorke, 1830-08-18, LAC RG4 A1 vol. 333; Sewell to Craig, 1835-05-02, LAC RG4 A1 vol. 454; petitions from female prisoners, 1837-04-21 and 1837-04-27, and Sewell to Walcott, 1837-04-28, LAC RG4 A1 vol. 508; Sewell to Maclaren, 1842-01-25, BAnQ-Q E17 1960-01-036/1694; *Quebec Mercury* 1831-06-16; *First Annual Report of the Quebec Jail Association* (Quebec: T. Cary, 1830): 4-5, 12; Fyson and Fenchel, "Prison Registers, Their Possibilities and Their Pitfalls": 176-178.

### **Gaol guards (66-67)**

- As with the other gaol employees, much information concerning both the military and the civil gaol guards is provided by the accounts and correspondence of the sheriffs and the gaolers. Pay lists and detailed reports of the civil gaol guard from 1852 are in BAnQ-Q E17 1960-01-036/1607 #61, 1960-01-036/1624 #119, 1960-01-036/1688 #315 and #316. See also grand jury presentments 1815-04-28 and 1815-05-17, BAnQ-Q TL999 file "Juges de paix 1805-1820" and LAC RG4 A1 vol. 144; LAC RG1 E1 vol. J: 611, vol. M: 160-161 and 173; Masterson petition, 1829-08-18, and Sewell to Yorke, 1829-08-28, LAC RG4 A1 vol. 296; Sewell to Craig, 1832-08, 1832-11-16, 1833-04-08, and 1834-06-30, LAC RG4 A1 vol. 387, 395, 406, and 433; LAC RG4 C1 1845 #262, 1849 #2963, 1850 #1455 and #2422, 1851 #695, 1853 #1, 1854 #1483, 1855 #316, 1857 #866, 1857 #1839; BAnQ-Q TL31,S1,SS1 #72148 and #72149; Archives de la Ville de Québec QC1-01B/1369-02; JLAPC 1852-53 Appendix HH: 30; *Quebec Mercury* 1851-04-17; *Morning Chronicle* 1852-07-12; Walter Henry, *Trifles From My Port-Folio ...* (Quebec: William Neilson, 1839): 123-124; *Report of the Commissioners Appointed to Inquire into the Conduct of the Police Authorities on the occasion of the Riot at Chalmers' Church on the 6th of June, 1853* (Quebec: Rollo Campbell, 1854): 3, 31, 112, 117; Fyson, "Les prisonniers de guerre américains".

### **Executioners (68)**

- accounts of Thomas, 1817-10-16, and Graves, 1817-10-20, LAC RG1 E15A vol. 30 file "1817 - Sheriff - Quebec"; BAnQ-Q TL31,S1,SS1 #86923; *Le Canadien* 1838-11-26 and 1838-11-30; Fyson, "La peine capitale au Québec"; Fyson, "The Spectacle of State Violence".

### **Doctors and clergymen (68-69)**

- On the gaol physicians, there is considerable information in the accounts and correspondence of the sheriffs and the gaolers. See more specifically: LAC RG4 A1: 43320, 43361-64; Blackstone to King's Bench judges, 1814-10-17, LAC RG4 A1 vol. 139; Blackstone to Drummond, 1815-07-21, LAC RG4 A1 vol. 146; Fargues to Loring, 1815-12-27, LAC RG4 A1 vol. 149; Sewell to Glegg, 1831-05-19, LAC RG4 A1 vol. 358; Fargues to Craig, 1835-

04-25, and Morrin to Craig, 1835-04-27, LAC RG4 A1 vol. 453; Sewell to Goldie, 1839-01-18, LAC RG4 A1 vol. 566; James A. Sewell to Murdoch, 1839-12-16, LAC RG4 A1 vol. 599; LAC RG4 C1 1840 #s 2246, 2312½, 2438, 2605, 2643, 2676, 2680, 3241, 4014, 5023, 5073, 6019, 6020, 1844 #232, 1857 #1281, 1859 #2409½, 1860 #962, 1861 #24 and #1788, 1862 #2596 and #2613, 1863 #370; LAC RG4 RG7 G17C vol.4: 200-202; LAC CO47 vol. 128: 279; BAnQ-Q E17 1960-01-036/1604 #s 47, 52 and 59, 1960-01-036/1624 #106-109, 1960-01-036/1687 #309 and #311; BAnQ-Q TL18,S1,SS1 1814 #874; JHALC 41(1831-1832): Evidence, 1831-12-28; JLAPC 1852-53 Appendix HH: 28-29, 82-83; "General Rules and Regulations" #4, JLAPC Sessional Papers 1861 #24; Jacques Bernier, "Fargues, Thomas", *Dictionary of Canadian Biography*

<[http://www.biographi.ca/en/bio/fargues\\_thomas\\_7E.html](http://www.biographi.ca/en/bio/fargues_thomas_7E.html)>; Charles-Marie Boissonnault, "Morrin, Joseph", *ibid.* <[http://www.biographi.ca/en/bio/morrin\\_joseph\\_9E.html](http://www.biographi.ca/en/bio/morrin_joseph_9E.html)>.

- On clergymen, the information is more limited. See: Mills to Cochran, 1816-08-30, LAC RG4 A1 vol. 155; "Rules and Regulations" 1829-04 #40, LAC RG4 A1 vol. 284; Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; Sewell 1836-02-18, LAC RG4 A1 vol. 469; LAC RG4 C1 1862 #2915; LAC CO47 vol. 128: 279, vol. 129: 359, vol. 131: 311, vol. 137: 304; "Ward Regulations" 1839-07-20, BAnQ-Q E17 1960-01-036/1692; BAnQ-Q E17 1960-01-036/1607 #58a 1863-06-05 and 1864-06-05 and 1960-01-036/1677 #271 1862-12-04; "General Rules and Regulations" #3, JLAPC Sessional Papers 1861 #24; *The Fourth Annual Report of the Quebec Jail Association* (Quebec: T. Cary, 1833): 5; *The Fifth Annual Report of the Quebec Jail Association* (Quebec: T. Cary, 1834): 5; *Quebec Mercury* 1837-01-03.
- quote (government reply): LAC RG4 C1 1862 #2915.

### **Philanthropists and nuns (69-70)**

- On the gaol association: Quebec Gaol Association petition, 1830-01-29, LAC RG4 A1 vol. 309; Stewart to Kempt, 1830-05-12, LAC RG4 A1 vol. 314; Quebec Jail Association petition, 1835-11-06, LAC RG4 A1 vol. 464; Sewell to Walcott, 1837-04-28, LAC RG4 A1 vol. 508; LAC CO47 vol. 138: 276; JHALC 39(1830): 101-103, 278-279, 294-295, Appendix 1830-03-08 and 40(1831): 175-176; *First Annual Report of the Quebec Jail Association*; *The Third Annual Report of the Quebec Jail Association* (Quebec: T. Cary, 1832); *Fourth Annual Report of the Quebec Jail Association*; *Fifth Annual Report of the Quebec Jail Association*; *Quebec Mercury* 1831-05-24, 1831-06-16, 1831-06-28, 1837-01-03; *Vindicator* 1829-05-26; Earl of Durham, *Report on the Affairs of British North America*, Appendix A (London, 1839): 14-16.
- On the Soeurs du Bon-Pasteur: Abbé Henri-Raymond Casgrain, *L'Asile du Bon-Pasteur de Québec d'après les annales de cet institut* (Québec: Demers, 1896): 55-59, 221-222, 357-377; Josette Poulin, "Une utopie religieuse: le Bon-Pasteur de Québec, de 1850 à 1921" (Ph.D., Université Laval, 2004): 38-42, 321-352.
- quote (Jail Association): JHALC 39(1830): 101.

### **Jurymen and prison inspectors (70)**

- Over 150 grand jury presentments concern the Quebec gaol between 1812 and 1867. My thanks to François Rivet for providing me with copies of the grand jury presentments he found. For examples of grand juries frustrated that previous presentments had not been heeded, see BAnQ-Q TL31,S1,SS1 #76473 and 76481, *Quebec Mercury* 1847-05-04, *Morning Chronicle* 1859-07-04 and 1865-02-02, and *Quebec Gazette* 1867-02-04. For the sheriff, Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586; LAC RG4 C1 1844 #3506, 1848 #321, 1849 #2963, and 1850 #2422. See also JLAPC Sessional Papers 1860 #32: 14.

On grand juries in general: Donald Fyson, "Jurys, participation civique et représentation au Québec et au Bas-Canada: les grands jurys du district de Montréal (1764-1832)", *Revue d'histoire de l'Amérique française* 55(1)(2001): 85-120 and Rivet, "La vision de l'ordre en milieu urbain". For the equivalent in Upper Canada: Oliver, *Terror to Evil-Doers*: 60-68, 326-331.

### ***Inspection mania (71)***

- Published prison inspection reports are available in JLAPC 1852-53 Appendix HH; JLAPC Sessional Papers 1860 #32, 1861 #24 (which also includes the regulations), 1862 #19, 1863 #66, 1864 #39, 1865 #14, 1866 #6; and Parliament of Canada, Sessional Papers 1868 #40. Inspectors' comments concerning the Quebec gaol are recorded in BAnQ-Q E17 1960-01-036/1677 #271. On the establishment and operation of the board of prison inspectors (though focussing on Upper Canada): Oliver, *Terror to Evil-Doers*: 337-354. On rise of inspection in general: Bruce Curtis, *True Government by Choice Men? Inspection, Education, and State Formation in Canada West* (Toronto: University of Toronto Press, 1992).
- quote (Nelson): JLAPC 1852-53 Appendix HH: 30.
- quote: (Taché): JLAPC Sessional Papers 1861 #24.

## **GAOL SOCIETY**

### **The impact of the building (72-73)**

- Complaints about the building are a constant in the grand jury presentments, the sheriff's comments in LAC CO47, the inspectors' reports and the reports and other documents produced by the gaol association. See also Sewell to Craig, 1832-08, LAC RG4 A1 vol. 387; Sewell to Walcott, 1835-10-01, LAC RG4 A1 vol. 460; Jefferys to Sewell, 1836-02-08, LAC RG4 A1 vol. 469; Sewell 1836-02-18, LAC RG4 A1 vol. 469; Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586; LAC RG4 C1 1840 #2235, 1848 #321, and 1850 #2422; LAC RG11 vol. 136 #16 and vol. 138 #1360; Henderson to Grand Jury, 1827-03, BAnQ-Q E17 1960-01-036/1692; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960; *Quebec Mercury* 1851-04-17; *Morning Chronicle* 1860-07-10.
- quote (grand jury 1814): BAnQ-Q TL18,S1,SS1 1814 #874.
- quote (Sewell): LAC CO47 vol. 136: 323.
- quote (grand jury 1867): *Quebec Gazette* 1867-02-04 [note that the year is 1867 and not 1866 as in the text].

### **Insoluble problems (74-75)**

- On contact with the street, see the documents concerning the gaol guard above, along with Dénéchau and Sewell to Cochran, 1828-06-20, LAC RG4 A1 vol. 266; Sewell to Craig, 1831-10-13, 1832-07-05 and 1832-11-16, LAC RG4 A1 vols. 366, 385, and 395; Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586; LAC RG4 C1 1849 #2963; LAC CO47 vol. 128: 279 and vol. 131: 311; BAnQ-Q E17 1960-01-036/1607 #58a 1863-09-03, 1960-01-036/1677 #271 1863-09-02, BAnQ-Q E17 1960-01-036/1688 #315 and #316 and "Return of the Gaols and Houses of Correction", 1960-01-036/1960; JLAPC 1852-53 Appendix HH: 30; *Le Canadien* 1833-10-11, 1836-10-04; *Hawkins's Picture of Quebec*: 258.
- On visitors: "Rules and Regulations" 1829-04 #8-15, LAC RG4 A1 vol. 284; LAC RG4 C1 1845 #262; Sewell to Henderson, 1827-09-01, BAnQ-Q E17 1960-01-036/1694; Maclaren to

Sewell, 1851-02-11, and Sewell to Maclaren, 1851-02, BAnQ-Q E17 1960-01-036/1956; "General Rules and Regulations" #41, JLAPC Sessional Papers 1861 #24.

- quote: *Quebec Mercury* 1809-02-27.
- quote (Sewell): JLAPC 1852-53 Appendix HH: 77.

### **BOX: A lover's letter (75-76)**

- BAnQ-Q TL31,S1,SS1 #285390 and #285421; LAC RG4 C1 1851 #526; *Quebec Mercury* 1851-03-29.

### **Keeping tabs (76-77)**

- Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586; LAC RG4 C1 1840 #1913 and #2235; LAC RG1 E15A vol. 27 file "1815 - Commission for the Erection of the Gaol at Quebec" #134 and report of Baillairgé *et al.*, 1815-06-13, LAC RG1 E15A vol. 28 file "1816 - Sheriff"; LAC CO47 vol. 128: 279, vol. 131: 311 and vol. 137: 287.

### **Rules and regulations (77-79)**

- "Rules and Regulations" 1829-04, LAC RG4 A1 vol. 284; "Ward Regulations" 1839-07-20, BAnQ-Q E17 1960-01-036/1692 (the version used for packing paper is in 1960-01-036/1956); "General Rules and Regulations", JLAPC Sessional Papers 1861 #24. On alcohol, see above. On prison uniforms: LAC RG4 C1 1861 #2046; LAC RG1 E1 vol. W: 453-454; LAC CO47 vol. 132: 302; BAnQ-Q E17 1960-01-036/1677 #271, 1864-12-06 and 1865-07-17 and "Return of the Gaols and Houses of Correction", 1960-01-036/1960.

### **Not all prisoners were created equal (80)**

- The differences between the treatment of different classes of prisoners were laid out in part in the regulations cited above.
- On POWs: Fyson, "Les prisonniers de guerre américains".
- On other state prisoners: Young to Henderson, 1826-12-20, LAC RG4 A1 vol. 246; Young to Coffin, 1839-02-17 and 1839-02-18, Sewell to Young, 1839-02-18, and Jefferys to Symes, 1839-02-20, LAC RG4 A1 vol. 571; Executive Council report 1839-03-11, LAC RG4 A1 vol. 572; Sewell to Goldie 1839-05-08, LAC RG4 A1 vol. 583; LAC RG4 C1 1861 #2046; BAnQ-Q TL31,S1,SS1 #76485.
- On debtors: Young to Henderson, 1826-12-20, LAC RG4 A1 vol. 246; grand jury presentment 1827-10-30, LAC RG4 A1 vol. 257; Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; LAC RG11 vol. 136 #16; LAC CO47 vol. 139: 354; BAnQ-Q TL31,S1,SS1 #125443 and #127317; Sewell to [Henderson], 1828-01-09, BAnQ-Q E17 1960-01-036/1694; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960; BAnQ-Q E17 1960-01-036/1607 #58a, 1862-03-22, 1862-05-03; *Quebec Gazette* 1823-05-26; Fyson, "Les malheurs juridiques de Philippe Aubert de Gaspé". Note that contrary to what is said in the text, there were a handful of female debtors imprisoned in the Quebec gaol: 14 in all between 1822 and 1845.
- On sailors: Maclaren to Sewell, 1841-05-22, and Sewell to Maclaren, 1841-05-25, BAnQ-Q E17 1960-01-036/1692; RG4 C1 1841 #s 932, 979 and 1064, 1843 #1338, 1845 #2939; 47 George III c.9; 6 Victoria c.4.
- On military prisoners: Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; LAC RG4 C1 1845 #2939; Sewell to Cochrane 1825-10-21, and Cochran to Military Secretary, 1825-11-21, LAC RG8 vol. 170: 23, 26; BAnQ-Q E17 1960-01-036/1604 #48 and #49 and 1960-01-036/1607 #60; extracts from Mutiny Act, BAnQ-Q E17 1960-01-036/1692; Glegg to Jefferys, 1833-04-25, Ainsy to Sewell, 1834-07-14, and account of Henderson, 1837-04,

BAnQ-Q E17 - 1960-01-036/1694; Lawrence to Maclaren, 1850-12-28, and Maclaren to Lawrence, 1851-01-06, BAnQ-Q E17 1960-01-036/1956.

- On ordinary prisoners, see below. On the bedsteads, BAnQ-Q TL18,S2,SS1 1830 #224 exhibit #12. On chains for condemned prisoners: *Memoir of the Life of John Hart* (Quebec?: 1826?): frontispiece and 12; Angers, *Les révélations du crime*: 63, 69 (at 51 and 55 Angers also describes dangerous prisoners being chained in the condemned cells before conviction). Blacksmiths' accounts for the gaol up to 1836, in LAC RG1 E15A, include frequent charges for putting men in irons and taking them out, but which of these were for the condemned is difficult to ascertain.

### ***Experienced prisoners and ward leaders (81-82)***

- The analysis of length of stay and repeat incarceration is based on the prisoners database; see also Fyson and Fenchel, "Prison Registers, Their Possibilities and Their Pitfalls".
- On Dumas and Charland: Angers, *Les révélations du crime*: 55, 67-68; prisoners database; Sewell to Murdoch, 1839-11-04, LAC RG4 A1 vol. 597; LAC RG68 liber 12: 120-123, 125-127; LAC RG4 B20: 10403-10406 and 10417-10420.
- On ward leaders in general: "Rules and Regulations" #31 1829-04, LAC RG4 A1 vol. 284; "Ward Regulations" #2 1839-07-20, BAnQ-Q E17 1960-01-036/1692; "Statement of Subsistence", LAC RG1 E15A vol. 66 file "1829 - House of Correction - Montreal - Quebec" and vol. 69 file "1829 - Sheriff - Quebec" (and subsequent accounts); BAnQ-Q E17 1960-01-036/1606 #53, 1960-01-036/1606 #55, 1960-01-036/1610 #65, 1960-01-036/1646 #196; Audy petition, 1833-03-20, LAC RG4 A1 vol. 405; *Quebec Gazette* 1821-09-30.
- quote (Sewell): LAC CO47 vol. 133: 300.
- quote (Jefferys): Jefferys to Sewell, 1836-02-08, LAC RG4 A1 vol. 469.
- quote (grand jury): *Quebec Gazette* 1821-09-30.

### ***Other opportunities (82-83)***

- On prisoners as nurses: Sewell to Craig, 1832-03-12 and 1832-04-09, LAC RG4 A1 vol. 377 and 379; gaoler's accounts and vouchers, LAC RG1 E15A vol. 69 file "1829 - Sheriff - Quebec" (and subsequent accounts); scattered receipts and accounts in BAnQ-Q E17 1960-01-036/1692, 1960-01-036/1694 and 1960-01-036/1968; JLAPC 1852-53 Appendix HH: 83.
- On drain-cleaning and wood-cutting: BAnQ-Q E17 1960-01-036/1604 #s 47, 49 and 52 and 1960-01-036/1607 #58a; Henderson accounts 1837-04 and 1838-10-13, BAnQ-Q E17 1960-01-036/1694.
- On prisoners as gaolers' servants: Young to Henderson, 1826-12-20, LAC RG4 A1 vol. 246; BAnQ-Q E17 1960-01-036/1646 #196.
- On prisoners earning for extra work: LAC CO47 vol. 130: 350 and vol. 132: 302.
- On prisoners drawing up petitions for others: Aubert de Gaspé to Murdoch, 1839-11-16, LAC RG4 A1 vol. 598; LAC RG4 B20: 9911-9914 and 9933-9935; LAC RG4 C1 1841 #979 and #1064. See also LAC RG4 C1 1850 #2422.

### ***Frictions (83)***

- On theft between prisoners: LAC RG4 C1 1850 #2422; BAnQ-Q E17 1960-01-036/1607 #58a 1861-09-24; BAnQ-Q E17 1960-01-036/1679 #277; BAnQ-Q TL31,S1,SS1 #72148 and #72149.
- On violence between prisoners: BAnQ-Q E17 1960-01-036/1607 #58a 1862-02-03; BAnQ-Q E17 1960-01-036/1679 #277; Welch to Sewell, 1846-01-21, BAnQ-Q E17 1960-01-

036/1694; BAnQ-Q TL31,S1,SS1 #s 44470, 105926, 125443, 137079, 137080; *Quebec Mercury* 1846-01-20.

- On sexuality: Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586; LAC RG4 C1 1840 #2235, 1848 #321; LAC RG11 vol. 136 #16; BAnQ-Q E17 1960-01-036/1679 #277: 51; BAnQ-Q TL31,S1,SS1 #125443; "General Rules and Regulations" #45, JLAPC Sessional Papers 1861 #24.

### **The limits of freedom (84)**

#### ***Food (84-85)***

- "Rules and Regulations" 1829-04, LAC RG4 A1 vol. 284; Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; LAC CO47 vol. 128: 278; and vol. 129: 358; BAnQ-Q E17 1960-01-036/1604 #s 47, 48, 49 and 52, 1960-01-036/1607 #58a and #62 and 1960-01-036/1677 #271 1865-07-17; "Gaol Dietaries" c.1861-1866 BAnQ-Q E17 1960-01-036/1692; BAnQ-Q TL31,S1,SS1 #114707; JHALC 34(1825) Appendix U; JLAPC 1852-53 Appendix HH: 78; JLAPC Sessional Papers 1863 #66; "General Rules and Regulations" #17, JLAPC Sessional Papers 1861 #24; *Morning Chronicle* 1857-02-09; *First Annual Report of the Quebec Jail Association*: 5. See also the zooarchaeological analysis of the animal bones found in the drains and latrines of the prison, in Moss, *Recherches archéologiques sur le site de l'ancienne prison de Québec*: 267-293, though the conclusions are in part at odds with what is clear from the gaol accounts and other written sources.

#### ***Health, sickness and death (85-87)***

- Examples of complaints about the gaol stench include Mure to Cochran, 1815-03-18, LAC RG4 A1 vol. 142; grand jury presentment 1827-10-30, LAC RG4 A1 vol. 257; Sewell to Maclaren, 1846-03-31, BAnQ-Q E17 1960-01-036/1694; BAnQ-Q TL31,S1,SS1 #76456; *Quebec Gazette* 1821-09-30; *Morning Chronicle* 1860-07-10.
- On smoke from the stoves: Sewell to Walcott, 1838-01-27, LAC RG4 A1 vol. 530. On prisoners smoking: BAnQ-Q TL31,S1,SS1 #110112; JLAPC 1852-53 Appendix HH: 82; "General Rules and Regulations" #35, JLAPC Sessional Papers 1861 #24; Moss, *Recherches archéologiques sur le site de l'ancienne prison de Québec*: 40-42, 217-223, 229-230.
- On cholera in Quebec City: Geoffrey Bilson, *A Darkened House: Cholera in Nineteenth-Century Canada* (Toronto: University of Toronto Press, 1980); Michael Zeheter, *Epidemics, Empire, and Environments: Cholera in Madras and Quebec City, 1818-1919* (Pittsburgh: University of Pittsburgh Press. 2015).
- Information on sanitary measures, such as whitewashing or the purchase of brooms, mops, soap, and rat poison, is scattered through the gaol accounts, notably in LAC RG1 E15A and BAnQ-Q E17 1960-01-036/1968 to /1972. On the water supply, see above, along with BAnQ-Q 1960-01-036/1604 #48 and #49 and 1960-01-036/1690 #329. On baths: LAC RG1 E15A vol. 37 file "1820 - Sheriff - Quebec" and vol. 56 file "1826 - Sheriff - Quebec", and RG4 C1 1857 #1833. See also LAC RG4 C1 1841 #s 979, 1064 and 1387, 1844 #232; LAC CO47 vol. 139: 356; Archives de la Ville de Québec QC1-01B/1369-02; JLAPC 1852-53 Appendix HH: 82-83. On Parent: Falardeau, "Parent, Étienne". I calculated the death rate in the gaol from the prisoners database and from the lists of deaths in BAnQ-Q E17 1960-01-036/1665 #252, 1960-01-036/1666 #253 and 1960-01-036/1667 #254. Death rates for Quebec City were kindly provided me by Marc Vallières. On dissection: 7 V c.5; BAnQ-Q E17 1960-01-036/1607 #58a 1861-11.



- quote (newspaper): *Morning Chronicle* 1860-07-10.
- quote (grand jury): grand jury presentment, 1827-10-30, LAC RG4 A1 vol. 257.

### ***Hard labour (88-89)***

- On the stepping mill: Tremain to Coltman, 1824-02-03, LAC RG4 A1 vol. 224; Leprohon and McCord to Montizambert, 1824-09-23, LAC RG4 A1 vol. 230; Dénéchau and Sewell to Cochran, 1828-05-26, LAC RG4 A1 vol. 265; LAC RG8 vol. 169: 137-138; BAnQ-Q TL31,S1,SS1 # 88207; JHALC 32(1823): 92-93, 97-98, 119, 33(1823-1824): 253, Appendix X, 34(1825): 203, 332-334 and 38 (1828-29) Appendix Z; 3 George IV c.10; *Quebec Mercury* 1822-12-31.
- On hard labour in general: Tremain and Voyer to Cochran, 1827-01-02, LAC RG4 A1 vol. 247; Sewell to Yorke, 1829-04-01, 1829-05-02, 1829-05-07 and 1830-04-19, LAC RG4 A1 vol. 283, 286 and 319; grand jury presentment, 1829-04-30, LAC RG4 A1 vol. 285; Sewell to Glegg, 1831-05-10, LAC RG4 A1 vol. 358; Sewell to Craig, 1833-10-29, LAC RG4 A1 vol. 416; Sewell 1836-02-18, LAC RG4 A1 vol. 469; LAC RG4 C1 1844 #80, 1860 #401; LAC RG8 vol. 169: 137-138; LAC CO47 vol. 128: 278, vol. 129: 358, vol. 132: 302, vol. 133: 299 and vol. 137: 287; BAnQ-Q TL31,S1,SS1 # 76485 and #110112; BAnQ-Q E17 1960-01-036/1604 #50, 1960-01-036/1607 #58a and #59, 1960-01-036/1646 #196 and #197, 1960-01-036/1679 #277, 1960-01-036/1690 #325 and #326; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960; Maclaren to Alleyn, 1867-06-03, 1867-07-03 and 1867-12-31, BAnQ-Q E17 1960-01-036/1968; Archives de la Ville de Québec QC1-01B/1369-02; JLAPC 1852-53 Appendix HH: 77; JLAPC 1865 #14: 52, 73 and tabular information in the published prison inspection reports 1859-1867 (see above); Quebec gaol association annual reports and other representations (see above).

### ***Resistance (90)***

- On resistance in general, other than escapes: Blackstone to King's Bench judges, 1814-10-17, LAC RG4 A1 vol. 139; Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; Sewell to Craig, 1832-11-16 and 1833-04-08, LAC RG4 A1 vol. 395 and 406; Hacker to Sewell, 1836-02-15, LAC RG4 A1 vol. 469; Sewell to Walcott, 1836-02-29, LAC RG4 A1 vol. 470; petitions from female prisoners, 1837-04-21 and 1837-04-27, and Sewell to Walcott, 1837-04-28, LAC RG4 A1 vol. 508; LAC RG4 C1 1849 #2963; BAnQ-Q E17 1960-01-036/1607 #58a, 1960-01-036/1679 #277, 1960-01-036/1688 #315 and #316; Sewell to Young, 1839-06-11, BAnQ-Q E17,S37,D3326; Archives de la Ville de Québec QC1-01B/1369-02. See also escapes and discipline, below.

### ***Escape (90-91)***

- Successful escapes were often but not always indicated in the prison registers; other escapes are mentioned in passing in the sheriffs' and gaolers' correspondence. There is also a list of escapes 1828-1829 in BAnQ-Q E17 1960-01-036/1959 and a full list of escapes 1857- in BAnQ-Q E17 1960-01-036/1679 #277, both of which provide many details of the methods used. Unsuccessful escapes are harder to quantify, especially before the 1850s, as they were mentioned only in passing in correspondence; for the later period, they are often noted in BAnQ-Q E17 1960-01-036/1607 #58a, 1960-01-036/1679 #277 and 1960-01-036/1688 #315 and #316.
- On escapes in general: Jefferys petition, 1828-06-11, LAC RG4 A1 vol. 266; Sewell to Yorke, 1829-04-11, 1829-05-07 and 1830-03-17, LAC RG4 A1 vol. 284, 286 and 317; Sewell to Craig, 1832-02-07, 1832-06-27, 1832-07-05, 1833-04-08, and 1834-06-30, LAC

RG4 A1 vol. 375, 384, 385, 406, and 433; Sewell to Walcott, 1835-10-01, LAC RG4 A1 vol. 460; Jefferys to Sewell, 1836-02-08, LAC RG4 A1 vol. 469; Sewell to Goldie, 1839-06-10, LAC RG4 A1 vol. 586; LAC RG4 C1 1840 #1913 and #2235, 1844 #s 80, 3486, 3506 and 3521, 1845 #262 and #294, 1850 #s 1242, 1455 and 2422, 1851 #526; LAC RG11 A1 vol. 6 #7636 and #7915 and vol. 28 #33 294; LAC CO47 vol. 159: 296-297; BAnQ-Q TL31,S1,SS1 #183317; *Quebec Gazette* 1835-10-02, 1836-04-01; *Le Canadien* 1836-10-04; *Quebec Mercury* 1837-10-03; Henry, *Trifles From My Port-Folio*: 123-124.

- On the specific examples given in the text: along with the prisoners database, report of Baillaigé, 1816-02-27, LAC RG1 E15A vol. 28 file "1816 - Sheriff"; Sewell to Yorke, 1830-02, LAC RG4 A1 vol. 310; LAC RG4 C1 1847 #1010; Sewell to Walcott, 1836-02-29, LAC RG4 A1 vol. 470; BAnQ-Q E17 1960-01-036/1679 #277 1865-05-22 and 1867-1877; BAnQ-Q E17 1960-01-036/1688 # 315 1867-06-05; BAnQ-Q TL31,S1,SS1 #60110.

### **BOX: The first escape (92)**

- Mary Roach Archer (ed), "Journal of Major Isaac Roach, 1812-1824", *Pennsylvania Magazine of History and Biography* 17(3)(1893): 286-304; *Quebec Gazette* 1813-12-02; *Montreal Herald* 1813-12-04; LAC RG8 vol. 1203½J: 85-86.

### **Discipline (91-94)**

- Punishments imposed for 1828-1840 are dealt with in general terms in the sheriff's comments in LAC CO47. Blacksmiths' accounts from the 1810s, 1820s and 1830s are in LAC RG1 E15A; the last such account, in 1836, still records quite a few men put in irons, although by 1829, Sewell was already asserting that this was not frequently resorted to (LAC CO47 vol. 129: 359).
- Punishments imposed from 1850 onwards are recorded in BAnQ-Q E17 1960-01-036/1679 #277, with some complementary information from 1860 on in 1960-01-036/1607 #58a.
- On punishment in general, see also "Rules and Regulations" 1829-04 #38, LAC RG4 A1 vol. 284; Sewell to Yorke, 1829-04-30, LAC RG4 A1 vol. 285; Masterson petition, 1829-08-18, and Sewell to Yorke, 1829-08-28, LAC RG4 A1 vol. 296; Sewell to Craig, 1833-04-08, LAC RG4 A1 vol. 406; Sewell 1836-02-18, LAC RG4 A1 vol. 469; petitions from female prisoners, 1837-04-21 and 1837-04-27, and Sewell to Walcott, 1837-04-28, LAC RG4 A1 vol. 508; Sewell to Goldie, 1839-01-18, LAC RG4 A1 vol. 566; "Return of the Gaols and Houses of Correction", BAnQ-Q E17 1960-01-036/1960; LAC RG4 C1 1840 #2235; JLAPC 1852-53 Appendix HH: 29-30, 80, 82; "General Rules and Regulations" #33, JLAPC Sessional Papers 1861 #24; *Third Annual Report of the Quebec Jail Association*: 11. Contrary to what is suggested in the text, there is no positive record of a ball and chain being used at the Quebec gaol itself before the move to the new gaol in 1867, but less than two months later, the first prisoner to escape from the new gaol was fitted with a ball and chain after his recapture so that he could be put to work on the roads: BAnQ-Q E17 1960-01-036/1679 #277 1867-08-17.
- quote (Sewell): LAC CO47 vol. 132: 152.

### **BOX: Cruel and despotic conduct (93)**

- JLAPC 1852-53 Appendix HH: 80.

## EPILOGUE: THE END OF THE GAOL (95-96)

- On calls for the replacement of the old gaol: Quebec gaol association annual reports and other representations (see above); [Bédard?] to Craig, 1833-10-09, LAC RG4 A1 vol. 416; LAC RG4 C1 1848 #321; LAC RG1 E1 vol. E: 691-692; LAC RG11 vol. 136 #7 and #16; LAC CO47 vol. 133: 300; grand jury presentments 1853-01-28 and 1856-07-19, BAnQ-Q TP9,S1,SS1,SSS1 1853-01 and 1856-07; BAnQ-Q TL31,S1,SS1 #s 53676, 76473, 137176, 142518, and 100536; JHALC 40(1831): 77-78, 310; 10&11 Geo IV c.40 (1830); *Quebec Mercury* 1829-10-03; *Le Canadien* 1836-10-04; *Morning Chronicle* 1857-02-09, 1859-07-04, 1860-07-10 and 1865-02-02.
- On the building of the new prison (other than as mentioned in the sources above): LAC RG1 E1 vol. P: 434-435, vol. R: 493-494, 620, vol. V: 216-217, vol. W: 57-58 and vol. AE: 51; LAC RG11 vol. 276: 551; BAnQ-Q TL31,S1,SS1 #s 67777, 98446; JLAPC 1860 Appendix #11; Martin Mimeault, *La prison des plaines d'Abraham* (Sillery, Septentrion, 2007) [although he is in error about the year the new prison opened and the prisoners were transferred - see below].
- On the sale of the old gaol to Morrin College: LAC RG1 E1 vol. W: 54-55; LAC RG1 E7 vol. 56 #35932; LAC RG11 B1(a) vol. 276 subject 551; and see the section on Morrin College by Patrick Donovan.
- On the transfer of prisoners to the new gaol: BAnQ-Q E17 1960-01-036/1607 #58a, 1867-06-01 and 1960-01-036/1688 # 315, 1867-06-01; *Canada Gazette* 1867-03-16; *Morning Chronicle* 1867-06-01; *Quebec Gazette* 1867-06-03; *Le Canadien* 1867-06-03.
- quote: *Quebec Gazette* 1867-06-03.