

UNEDITED

The Gaols Act

being

Chapter 67 of *The Revised Statutes of Saskatchewan, 1909*
(effective March 15, 1911).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	SHORT TITLE		
1	Short title	7	Appointment of gaolers, etc./Salaries
2	Lieutenant Governor in Council may provide for construction of gaols, etc.	8	Lieutenant Governor in Council may appoint an inspector of gaols, etc.
3	Gaols now in use continued as such	9	Rules and regulations
4	The Lieutenant Governor in Council may direct buildings, etc., to be used as gaols	10	Transporation for discharged prisoners to their homes/ Gaol libraries/Instruction of prisoners
5	Arrangement for confinement under municipal bylaws	11	Officers, etc., continued
6	Provisions as to committals	12	Annual report

CHAPTER 67

An Act respecting Gaols and Prisons

SHORT TITLE

Short title

1 This Act may be cited as “*The Gaols Act.*”

1906, c.23, s.1; R.S.S. 1909, c.67, s.1.

Lieutenant Governor in Council may provide for construction of gaols, etc.

2 The Lieutenant Governor in Council may provide for the erection and construction of gaols, prisons and houses of correction within the province and for the purchase of lands, buildings and other property requisite therefor and may make provision for the maintenance and repair of the same.

1906, c.23, s.2; R.S.S. 1909, c.67, s.2.

Gaols now in use continued as such

3 Until otherwise provided by competent authority the buildings and premises now in use or hitherto proclaimed to be common gaols in Saskatchewan shall continue to be the common gaols of the province.

1906, c.23, s.3; R.S.S. 1909, c.67, s.3.

The Lieutenant Governor in Council may direct buildings, etc., to be used as gaols

4 The Lieutenant Governor in Council may from time to time direct that any building or buildings or any part thereof or any inclosure or inclosures in any part of the province shall be a common gaol or lockup for the confinement of prisoners charged with the commission of any offence or sentenced to any punishment or confinement therein; and confinement therein shall thereupon be held lawful and valid whether such prisoners are being detained for trial or under sentence of imprisonment; and the Lieutenant Governor in council may at any time direct that any such building or enclosure or any part thereof shall cease to be a gaol or lockup.

Gaol regulations to apply

(2) All rules and regulations made for the management of common gaols shall equally apply to the gaols provided for in this section.

1906, c.23, s.4; R.S.S. 1909, c.67, s.4.

Arrangement for confinement under municipal bylaws

5 The Lieutenant Governor in Council shall have power from time to time to prescribe the terms and conditions upon which persons convicted or accused of any offence under any municipal bylaw or regulation or sentenced to confinement under any such bylaw or regulation shall be received and kept in any common gaol of the province.

Where sentenced under The Criminal Code if offence covered by municipal bylaw

(2) Such terms and conditions shall apply in the case of any person convicted of any offence under *The Criminal Code* and sentenced to confinement in any common gaol in Saskatchewan if such an offence is covered by a municipal bylaw and the prosecution is at the instance of the municipal authorities.

1906, c.23, s.5; R.S.S. 1909, c.67, s.5.

Provisions as to committals

6 Any person arrested or directed to be imprisoned or committed to prison for any crime or offence under any Statute or law in force in Saskatchewan shall, if no other place is mentioned or provided by law, be confined or imprisoned in or committed to the common gaol of the locality in which the arrest or order for imprisonment is made or if there is no common gaol there then in or to that common gaol which is nearest to said locality; and the keeper of any such common gaol shall receive such person and safely keep and detain him in such common gaol under his custody until discharged in due course of law or bailed in cases in which bail may by law be taken.

1908, c.38, s.37; R.S.S. 1909, c.67, s.6.

Appointment of gaolers, etc./Salaries

7 The wardens or gaolers, turnkeys and all other officers of such common gaols except the guard houses or guardrooms of the Royal North-West Mounted Police shall be appointed by the Lieutenant Governor in Council when and so often as may be required or necessary; and all officers so appointed shall hold office during pleasure and shall be paid such salaries, as may be fixed by the Lieutenant Governor in Council.

1906, c.23, s.7; R.S.S. 1909, c.67, s.7.

Lieutenant Governor in Council may appoint an inspector of gaols, etc.

8 The Lieutenant Governor in Council may appoint a inspector who shall have power at all times to visit and inspect all gaols, prisons and houses of correction and to examine a papers, documents, vouchers, records, books and other things belonging thereto and to investigate the conduct of any officier or servant employed in or about the same and to report thereon to the attorney general.

Until inspector appointed, attorney general to be inspector

(2) Until such inspector is appointed the attorney general shall be the inspector and shall have all the powers of an inspector under this section.

1906, c.23, s.8; R.S.S. 1909, c.67, s.8.

Rules and regulations

9 The Lieutenant Governor in Council may make rules and regulations for the inspection and management, internal economy, proper security, due ordering and government of said common gaols, for the conduct and duties of the gaolers and other officers, the enforcement of order and discipline among the prisoners confined therein and with regard to all other matters and things necessary for the maintenance, order and good government of such gaols; and such rules shall have the force and effect of law in the same manner and to the same extent as if the same had been duly enacted by the Legislature of this province.

1906, c.23, s.9; R.S.S. 1909, c.67, s.9.

Transportation for discharged prisoners to their homes/Gaol libraries/Instruction of prisoners

10 The attorney general may in his discretion provide any prisoner discharged from any of the gaols of this province with transportation to his home or the home of his parents and a suitable outfit of clothing and may authorise the purchase of books for a library for any of the said gaols and materials and equipment for the conducting of classes for the instruction of prisoners, all of which may be paid for out of any funds to be appropriated by the Legislature for such purpose.

1906, c.23, s.10; R.S.S. 1909, c.67, s.10.

Officers, etc., continued

11 All officers and employees of gaols within Saskatchewan shall continue to act as if appointed under this Act until others are appointed in their stead; and all orders, regulations and rules relating to gaols in the province made under any law heretofore in force in the province with relation to gaols shall continue good and valid in so far as they are not inconsistent with this Act until they are annulled or others made in their stead.

1906, c.23, s.11; R.S.S. 1909, c.67, s.11.

Annual report

12 The attorney general shall submit annually to the Legislative Assembly within the first fifteen days of the session thereof a report upon all gaols, prisons and houses of correction under his control showing the state of each gaol, prison or house of correction and the amounts received and expended in respect thereof with such further information as requisite.

1906, c.23, s.12; R.S.S. 1909, c.67, s.12.

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