

THE  
STATUTES  
OF  
HIS MAJESTY'S PROVINCE  
OF  
UPPER-CANADA;

PASSED IN THE FOURTH SESSION OF THE FIFTH PROVINCIAL PARLIAMENT OF  
UPPER CANADA, MET AT YORK, ON THE THIRD DAY OF FEBRUARY, IN THE  
FIFTY-SECOND YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE  
THE THIRD, AND PROROGUED ON THE SIXTH DAY OF MARCH FOLLOWING

CHAP. I.

*An ACT to prevent Desertion from his Majesty's Regular Forces, by granting a  
Bounty for Apprehending Deserters in this Province.*

[Passed 6th March, 1812.]

**W**HEREAS from the local situation of this Province, some further pro-  
vision than the general Laws of the Empire afford, is necessary for  
the encouragement of persons who apprehend Deserters; Be it therefore en-  
acted by the King's most excellent Majesty, by and with the advice and con-  
sent of the Legislative Council and Assembly of the Province of Upper Cana-  
da, 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 Pro-  
vince of Quebec, in North America, and to make further provision for the  
government of the said Province," and by the authority of the same, That  
from and after the passing of this Act, any person or persons not being in his

Preamble.

Any person  
not being in his  
Majesty's regu-  
lar Forces, who

shall apprehend and deliver up any Deserter therefrom, shall be entitled to a reward of £.5. upon producing a certificate of such apprehension & delivery.

by whom certificate to be signed and what it shall state.

How if no Military post within the District in which Deserter shall be apprehended.

Persons having apprehended deserters may command assistance for their safe keeping &c.

Allowance to persons so employed.

Majesty's Regular Forces in this Province, who shall apprehend any Deerster or Deserters from such Regular Forces, and deliver up such Deserter or Deserters to any Officer commanding any military post in this Province, shall for each and every such Deserter or Deserters, so apprehended and delivered up, be entitled to, and shall receive in the manner hereinafter directed, a reward of Five Pounds, current money of this Province, upon producing a certificate of such apprehension and delivery, specifying the name or names of such Deserter or Deserters, and to what regiment or corps he or they belong, as may appear by confession or otherwise, signed by the officer so commanding, and by any Justice of the Peace for the district before whom such Deserter or Deserters shall be brought, which certificate such Officer and Justice of the Peace are hereby authorized and required to grant; Provided nevertheless, That when any Deserter or Deserters shall be so apprehended in any district of this Province, in which there may be no military post at the time, it shall and may be lawful for any Justice of the Peace before whom any Deserter or Deserters may be brought, and he is hereby required to commit by warrant under his hand and seal, every such Deserter or Deserters, to the common Gaol of the District wherein he or they may be apprehended, to be therein kept in safe custody, until demanded by and delivered up to any officer or detachment of his Majesty's Forces demanding such Deserter or Deserters, then, and in that case, the certificate of such Justice of the Peace, countersigned by the Keeper of such Gaol, acknowledging the receipt of such Deserter or Deserters, into his custody, shall be deemed sufficient.

II. And be it further enacted by the authority aforesaid, That when any person or persons who may have apprehended any Deserter or Deserters, may require further assistance for the safe keeping and conveying such Deserter or Deserters to the nearest military post or common goal, such person or persons shall have authority to call upon as many of the inhabitants (not being Quakers, Menonists or Tunkers) as may be required for that purpose, and no more. And each and every person so employed, shall be entitled to receive and demand six-pence per mile for every mile he shall go and return upon such service, to be ascertained if required, by the oath of such person, and the said sum of six-pence per mile, shall be paid under the like certificate, as the aforesaid reward of five pounds is herein directed to be paid.

III. *And be it further enacted by the authority aforesaid,* That every person not being a Quaker, Menonist or Tunker, who may be required to attend upon such service, and shall refuse so to do, upon due proof being made upon oath, of one credible witness, before any Justice of the Peace, shall forfeit, and pay the sum of twenty shillings for every such offence, to be levied by distress and sale of the offender's goods and chattels, and in case of no sufficient distress being found, it shall and may be lawful for such Justice of the Peace, by warrant under his hand and seal, to commit every such offender to the common gaol of the District wherein the same shall happen, for a space of time not exceeding one calendar month, and the said sum of twenty shillings so levied as aforesaid, shall be paid into the hands of the Receiver General of this Province, for the support of the Civil Government thereof, to be accounted for by him to the Lords Commissioners of his Majesty's Treasury, in such manner and form as his Majesty, his heirs and successors may be pleased to direct.

Penalty for refusing to assist.

How recovered and

applied.

IV. *And in order to enable any person or persons entitled thereto, to receive the reward before mentioned, with as much facility and as little expense as circumstances will admit; be it therefore enacted by the authority aforesaid,* That any public officer in the District where such Defserter shall be apprehended, holding public monies levied under the authority of any Act of the Provincial Parliament of this Province, is hereby authorized and required to pay the reward before mentioned out of any such monies in his hands, and the certificate aforesaid, together with a receipt for the sum of the person or persons receiving such reward, certified by two witnesses, shall be received and taken by the Receiver General of this Province, in discharge of so much of the account of such public officer as shall pay the same; and all money paid in manner aforesaid out of any fund by law appropriated, shall be replaced to such fund out of any unappropriated money remaining in the hands of the said Receiver General.

How reward to be paid.

V. *And be it further enacted by the authority aforesaid,* That this Act shall be in force during the present war, and from thence to the end of the then next Session of the Provincial Parliament, and no longer.

Continuance of this Act.

VI. *And be it further enacted by the authority aforesaid,* That all monies paid

or

or replaced in pursuance of this Act by his Majesty's Receiver General, shall be accounted for by him to the Lords Commissioners of his Majesty's Treasury, in such manner and form as his Majesty, his heirs and successors may be pleased to direct.

## C H A P. II.

*An ACT for granting to his Majesty, a certain sum of Money out of the Funds applicable to the Uses of this Province, to defray the Expences of Amending and Repairing the Public Highways and Roads, and building Bridges in the several Districts thereof.*

[Passed 6th March, 1812.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it would much advance the general prosperity of this Province, if the Public Highways and Roads were amended, May it 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 Upper 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 by the authority of the same, That out of the Rates and Duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the use of this Province, there be granted to his Majesty, his heirs and successors, the sum of two thousand pounds, to be issued out of the funds now remaining, or hereafter to come into the Receiver General's hands unappropriated and arising from such Rates and duties as last aforesaid, which said sum of two thousand pounds shall be disposed of, appropriated and applied in repairing the Roads already laid out, and building Bridges in the several Districts of this Province.

£2,000 to be applied in repairing Roads, and building bridges.

To be appropriated as follows:—  
Eastern District  
£250.

II. *And be it further enacted by the authority aforesaid,* That the said sum of two thousand pounds, shall be appropriated in the following manner: To the Eastern District, two hundred and fifty pounds; fifty pounds thereof, together with the sum of eighteen pounds thirteen shillings and one penny, unexpended