

Laws of His Majesty's Province of Upper-Canada in North America. West Niagara: Titus G. Simons, Printer to the King's Most Excellent Majesty, 1797.

37 George III – Chapter 15

An Act to authorize the apprehending of Felons, and others, escaping from any of his Majesty's provinces and governments in North-America, into this province.

Whereas it may happen that felons, and other malefactors, having committed crimes in some of his Majesty's provinces and governments in North-America, may escape into this province, and their offences thereby remain unpunished for want of provision by law for apprehending such offenders in this province and transmitting them into the province in which their offences were committed: for remedy thereof, Be it therefore 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, entitled "An act to repeal certain parts of an act passed in the fourteenth year of his Majesty's reign, entitled "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 from and after the passing of this, if any person or persons against whom as warrant shall be issued by the chief justice of the King's bench, or any other magistrate having competent authority in any of his Majesty's provinces or governments in North America, respectively, for any felony or other crime of a high nature, shall escape, come into, reside or be in any part of this province, it shall and may be lawful for any justice of the peace of the district, county, city or place where such person or persons shall escape, come into reside or be, to indorse his name on the said warrant (due proof being first made of the hand writing of the magistrate issuing the same) which warrant so indorsed shall be a sufficient authority to all persons to whom such warrant was originally directed, and also to all constables of the district, county, city or place where such warrant shall be so indorsed, to execute the same, by apprehending the person or persons against whom such warrant is granted, and to convey him, her or them into the province from which such warrant originally was issued, to be dealt with according to law.

II. Provided nevertheless, and be it further enacted by the authority aforesaid, That before any such warrant shall be so indorsed as aforesaid, the person applying for such indorsement shall enter into a recognizance with sufficient sureties for a sum not less than fifty pounds lawful money of this province, to indemnify this province, and every part thereof, against any expence that may arise or accrue from the apprehension of such offender, and also to bring, or cause the said offender to be brought to trial; and the magistrate to whom such application shall be made is hereby authorized to take such recognizance.