

*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

**An Act for the better securing of the Province against the King's Enemies.**

Whereas the laws now in force against alien enemies, may not prove sufficient to secure the tranquility of the province, 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 act, no person of whatever name, character, or description, being an inhabitant, subject or citizen of, or owing, or professing to owe allegiance to any country, kingdom, state or commonwealth now at War against our sovereign lord the King, or who shall have been an inhabitant, subject or citizen of, or owing allegiance to any such country, kingdom, state or commonwealth within the space of seven years preceding the passing of this act, except as herein after excepted, shall be permitted to enter, remain, reside or dwell in any part of this province, under the pains and penalties herein after expressed.

II. And be it further enacted, That if any person from and after the passing of this act, of whatever character or description, being an inhabitant, subject or citizen of, or owing, or professing to owe allegiance to any country, kingdom, state or commonwealth, now at war against our sovereign lord the King, or who shall have been an inhabitant, subject or citizen of, or owing allegiance to any such country, kingdom, state or commonwealth within the space of seven years preceding the passing of this act (except as hereafter excepted) shall enter, remain, reside, dwell or be found in any part of this province, it shall and may be lawful for any of his majesty's justices of the peace to issue his warrant for the apprehension of such person; and upon a due examination of, and finding him to fall within the description, intent and meaning of this act, to order him to leave the province within four-and-twenty hours: and in case he shall be found within the limits of this province after that time, it shall and may be lawful to and for any person, with or without warrant, to seize and carry him before any of his Majesty's justices of the peace, who shall commit him to the common gaol of the district, county or place where he shall be so found after the expiration of the time aforesaid, for the space of one month, at the end of which time he shall be again required and ordered by any of his Majesty's justices of the peace, to leave this province within the space of twenty-four hours; and in case he shall again be found within the limits thereof, at the expiration of that time, he shall, upon conviction thereof, before any commission of oyer and terminer, be deemed and adjudged a felon, and shall suffer death without benefit of clergy.

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III. Provided always. That this act shall not extend, or be confirmed to extend to any person having leave, license or authority from the governor, lieutenant-governor or person administering the government of this province, under his hand and seal, to enter, remain, reside or dwell in any part of the said province.

IV. And be it further enacted, That if any person now living and residing, or hereafter living and residing, during the continuance of this act, within the province shall knowingly receive, entertain, protest, countenance, support or encourage any person of whatever name, description, or character, being an inhabitant, subject or citizen of, or owing allegiance to, or professing to owe allegiance to any country, kingdom, state or commonwealth, or who shall have been an inhabitant, subject or citizen of, or owing allegiance to any country, kingdom, state or commonwealth within the space of seven years preceding the passing of this act, now at war against our sovereign lord the King, to enter, remain, reside or dwell in any part of this province, except as before excepted, and shall be duly convicted thereof in any of his Majesty's courts of record in this province, by indictment or information, he shall be deemed guilty of an high misdemeanor, and subject to the pains and penalties in all cases of misdemeanor imposed and inflicted.

V. And be it further enacted, That it shall and maybe lawful to and for any of his Majesty's subjects, having reasonable cause to suspect a person of being an inhabitant, subject or citizen of, or owing, or professing to owe allegiance to any country, kingdom, state or commonwealth, or who shall have been an inhabitant, subject or citizen of, or owing allegiance to any country, kingdom, state or commonwealth, within the space of seven years preceding the passing of this act, now at war against our sovereign lord the King, peaceably to demand, and he is hereby required to demand of such person his certificate of permission, leave, license or authority to enter into, remain, reside or dwell in the place where such person shall then and there be, being in the said province; and if upon such demand the person so suspected shall not produce and shew to the subject demanding the leave, license or authority that he may have under, the hand and seal of the governor, lieutenant-governor or person administering the government, or certificate of permission as aforesaid, he shall forthwith cause his suspicion to be made known upon oath to the nearest magistrate, who shall if sue his warrant for the apprehension of the person suspected, to be dealt with as herein before provided.

VI. And be it further enacted, That this act shall be openly read in court by the clerk of the peace or his deputy, on the first day of every session to be held in each and every district of this province, during the continuance thereof. And that the said act, and the provisions therein contained shall remain, continue and be in force for and during the space of two years, and no longer.