

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1812.
York: John Cameron, 1812. (Session 1)

52 George III– Chapter 1 (Session 1)

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.

Whereas from the local situation of this Province, some further provision than the general Laws of the Empire afford, is necessary for the encouragement of persons who apprehend Deserters ; 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, 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 from and after the passing of this Act, any person or persons not being in his 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 consession 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 Goal, 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 sixpence 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 sixpence 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 fame 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 so direct.

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 expence as circumstances will admit be it therefore enacted by the authority aforesaid, That any public officer in the District where such Deserter 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 fame 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.

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.

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