

L A W S
OF THE
STATE OF NEW-YORK,
PASSED AT THE
SIXTY-THIRD SESSION
OF THE
LEGISLATURE,
Begun and held in the City of Albany,
THE SEVENTH DAY OF JANUARY, 1840.



ALBANY:
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.....
1840.

CHAP. 375.

AN ACT more effectually to protect the free citizens of this state from being kidnapped or reduced to slavery.

[Passed May 14, 1840.]

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. Whenever the Governor of this state shall receive information satisfactory to him, that any free citizen or any inhabitant of this state, has been kidnapped and transported away out of this state, into any other state or territory of the United States, for the purpose of being there held in slavery; or that such free citizen or inhabitant is wrongfully seized, imprisoned or held in slavery in any of the states or territories of the United States, on the allegation or pretence that such person is a slave, or by colour of any usage or rule of law prevailing in such state or territory, is deemed or taken to be a slave, or not entitled of right to the personal liberty belonging to a citizen; it shall be the duty of the said Governor to take such measures as he shall deem necessary to procure such person to be restored to his liberty and returned to this state. The Governor is hereby authorized to appoint and employ such agent or agents as he shall deem necessary to effect the restoration and return of such person; and shall furnish the said agent with such credentials and instructions as will be likely to accomplish the object of his appointment. The Governor may determine the compensation to be allowed to such agent for his services besides his necessary expenses.

Governor to cause persons kidnapped or transported, &c. to be restored.

To employ agents.

§ 2. Such agent shall proceed to collect the proper proof to establish the right of such person to his freedom, and shall perform such journeys, take such measures, institute and procure to be prosecuted, such legal proceedings, under the direction of the Governor, as shall be necessary to procure such person to be restored to his liberty and returned to this state.

Duty of agent.

§ 3. The accounts for all services and expenses incurred in carrying this act into effect shall be audited by the Comptroller, and paid by the Treasurer on his warrant, out of any moneys in the treasury of this state not otherwise appropriated. The Treasurer may advance, on the warrant of the Comptroller, to such agent, such sum or sums as the Governor shall certify to be reasonable advances to enable him to accomplish the purposes of his appointment, for which advance such agent shall account on the final audit of his warrant.

Expenses.

Advances to agent.

§ 4. This act shall take effect immediately.