

## EXTRADITION BETWEEN GREAT BRITAIN AND THE UNITED STATES.

included in the first schedule to the Extradition Act of 1870.

In the year 1872 an Extradition Treaty was made between the United Kingdom and Germany, embracing eighteen extradition crimes. In the same year an Extradition Treaty was made between the United Kingdom and Belgium, embracing nineteen extradition crimes. In the same year a treaty was made between the United Kingdom and Italy, embracing nineteen extradition crimes. In the same year an Extradition Treaty was made between the United Kingdom and Denmark, embracing nineteen extradition crimes. In the year 1873 an Extradition Treaty was made between the United Kingdom and Brazil, embracing eighteen extradition crimes. In the same year an Extradition Treaty was made between the United Kingdom and Sweden and Norway, embracing eighteen extradition crimes. In the year 1874 an Extradition Treaty was made between the United Kingdom and Austria, embracing twenty extradition offences. In the same year an Extradition Treaty was made between the United Kingdom and the Netherlands, embracing ten extradition offences. In the year 1875 an Extradition Treaty was made between the United Kingdom and the Swiss Confederation, embracing eighteen extradition offences.

The existence of the imperial statutes and treaties to which the undersigned has referred, renders it unnecessary for him to argue for the propriety, and in fact the necessity of enlarging the range of extradition offences in general. The relations in particular of the United States and Canada render applicable with added force to these countries in general considerations upon which these statutes and treaties have been based; the common frontier of about three thousand miles; the facilities for passing from the one country into the other; the condition of things in the sparsely settled but vast tracts of country in the West; the extensive commerce, both by land, by sea, and by the great lakes, and the increased intercourse between two peoples of a common tongue, all point to the conclusion that between them, perhaps, more than between any other two countries, an extensive Extradition Treaty is requisite. One great possible source of difficulty which probably prevented any effort to extend the existing treaty has been of late years removed by the abolition of slavery. All the experience of later years point towards the necessity of extension—cases are of very frequent occurrence, in which persons guilty of serious crimes pass from one country into the other; and almost

within sight of their victims and of the country whose laws they have offended, find a secure refuge for themselves and their ill-gotten gains. The facilities so offered for crimes of a particular character tend largely to increase their number, and so at once foster crime and render property less secure.

The undersigned suggests to Council that it is expedient to take such steps as may be best calculated to result in the making of a comprehensive Extradition Treaty between the United Kingdom and the United States, framed with due regard to the exceptional circumstances as between the United States and Canada, to which the undersigned has alluded.

The undersigned has thought it best not to encumber this memorandum by a discussion of the precise crimes to be embraced in such a treaty, or by suggestions as to the phraseology to be used in defining them. These matters would be the subject of negotiation, and in settling them it might be necessary to refer to the Canadian Consolidation of the Criminal Law.

Nor does the undersigned embrace in this report any observations as to the mode of extraditing offenders.

Upon this important subject he proposes, in case steps be taken for the negotiation of a treaty, to lay before the Council a separate memorandum.

(Signed)

EDWARD BLAKE.

*The Earl of Carnarvon to the Earl of Dufferin.*

DOWNING STREET

2nd February, 1876.

MY LORD,—I have been in communication with the Secretary of State for Foreign Affairs in regard to the Minute of the Privy Council of Canada, enclosed in your despatch, No. 176, of the 11th of December, submitting for the consideration of Her Majesty's Government the inadequacy of the existing Extradition Treaty between this country and the United States, and suggesting the expediency of taking steps for the negotiation of a more comprehensive treaty, due regard being had to the exceptional circumstances of Canada and the United States.

I now enclose for your information and for that of your Government a copy of a letter from the Foreign Office, stating the result of recent negotiations with the United States Government on the subject, and that in the Earl of Derby's