

statements on oath, coming within the definition cited above, and would be sufficient as such.

In the case of *Worms* already cited, the late Chief Justice Dorion, relying exclusively on the Canadian extradition law, decided that depositions taken before another magistrate than the one having issued the warrant, were admissible when duly certified, because they came within the terms of the extradition act, and he added that "depositions or statements on oath are synonymous terms, and the depositions in this case are to be received as statements on oath, even if they were not as depositions."

See *Dubois alias Coppin* 12 Juris N. S. 867.

*Parker* 19 Ont. Rep. 612 and 616.

*Counhaye* (1873) L.R. 8 Q.B. 410.

The same doctrine exists in the U. S.

See *Moore on Extradition*, p. 525, and *Thompson vs. Brooks*, 3 Blatchford, U. S. 456, where it is declared that the Supreme Court in its rules uses the terms depositions and affidavits as convertible expressions.

At the hearing, witnesses have been examined in order to determine, according to the law of the United States the date that the accused become fugitives from justice. This evidence could only have been adduced with the view, I presume, to show that the crimes investigated by me would come under some statute limiting criminal prosecution. The evidence of the legal experts upon this matter is conflicting and the authorities cited seem to be in support of the pretension of the prosecution, that the accused have been fugitives from the justice of the United States to all intents and purposes since December 1899, which is the time that indictments were laid against them in Georgia for conspiracy to defraud and presenting false and fraudulent claims, and that they were arrested in New York, and proceedings instituted for their removal to Georgia to there answer to these charges and all other charges that might be there preferred against them. The authorities cited were *Streep v. U. S.* 160 U. S.; *Howgate v. U. S.*, 24 Washington Law Reporter