

and by the enthusiastic administrators of the constitution and laws of Great Britain. It was said that among our neighbors extradition was a judicial act, and not an administrative measure. In demanding Lamirande, the English Government would give the final blow to this doctrine; for if Lamirande has been given up in virtue of a judicial decision, how can the administrative power arrogate to itself the right to judge, appreciate and revise that judicial decision, which has acquired the authority of a matter adjudged?

Again, if the English Government believes that, in the countries under its rule, extradition is a judicial act, there is no explanation for the talked of demand.

For, it is to be noticed, according to what is said of this demand, that no question is raised on these points advanced before the French tribunal in the interest of Lamirande. Thus, the English Government does not complain of a judicial decision which was not definitive, having been executed in spite of an appeal, or the right of appeal, by Lamirande. We could understand, to a certain point, the executive power of a country which gives executive force to the decisions of justice, complaining of the execution of a decision to which it has not given this executive force; or that the executive force, which can only emanate from itself, has been erroneously given to the sentence of a judge. We may reply to a demand placed on these pleas, that it was the business of the Government which makes the demand to watch the execution of the acts of the tribunals or of the administrative agents in its territory, but that, the acts once carried out can no longer be revised, since the persons to whom they apply are no longer within its jurisdiction. But, we repeat, in this case the demand might be intelligible to a certain point; whereas in the demand, as it is at present framed, England avows that she has no formal objection to make against the decision of the Judge who ordered the extradition—she only pretends that the Judge has given a wrong decision, that he ought not to have entertained the demand.

What becomes then of that grand principle of the authority of an adjudged matter, which is acknowledged, proclaimed and respected by all governments?

Does the Cabinet of London wish to pretend that the extradition of Lamirande has been granted in contempt of English law; that in the country under the sway of the English Crown extraditions can only be granted in cases provided for by law; that the law which regulates this matter of extradition with respect to France is the Bill which approved the Treaty of 1843, and that this Bill does not permit the granting an extradition on the demand of a consul for a crime which the English law does not recognize as a forgery?

To this it is easy to answer, that foreign powers who demand and obtain the extradition of criminals who have taken refuge in England, are not obliged to trouble themselves with the question whether the English authorities who decided on the extraditions have observed, or not, the special laws of their country.

The English Minister cannot, indeed, maintain that there has been a violation of the principles of international law, for Lamirande has not been taken by violence or fraud from British soil.

We can understand a diplomatic demand with reference to an act which has been done against the will or in contempt of the rights of the power making the demand. But there is hardly any explanation for a demand by a government with reference to an act that emanates from itself. If the extradition of Lamirande ought not to have taken place, according to English law, its consent ought not to have been given. But extradition, once effected, it cannot possibly be retracted.

French justice has now pronounced sentence. It has condemned Lamirande for the crime of forgery. If, after the decision of the French jury, it should be necessary to restore Lamirande to liberty, to send him back to England, there to enjoy with impunity the fruits of his misdeeds, this would be a public scandal. It is only with great reluctance that the French Government can entertain the demand of England. Happily there exists in the treaties no stipulation which obliges France to restore Lamirande.

But if, through some impossibility, France found herself forced to make this restitution, this would be the most manifest condemnation of the Treaty of 1843.

Up to the present time this treaty had remained a dead letter. The French Government had not been able to obtain any extraditions from England.

Here, however, an extradition has been granted, on account of a crime that had