

Extradition.

FUGITIVE CRIMINALS IN BRITISH POSSESSIONS.

Proceedings
as to fugitive
criminals in
British Pos-
sessions.

17. This Act, when applied by Order in Council, shall, unless it is otherwise provided by such Order, extend to every British possession in the same manner as if throughout this Act the British possession were substituted for the United Kingdom or England, as the case may require, but with the following modifications, namely—

- (1.) The requisition for the surrender of a fugitive criminal who is in or suspected of being in a British possession may be made to the Governor of that British possession by any person recognized by that Governor as a Consul General, Consul or Vice-Consul, or, if the fugitive criminal has escaped from a colony or dependency of the foreign State on behalf of which the requisition is made, as the Governor of such colony or dependency ;
- (2.) No warrant of a Secretary of State shall be required, and all powers vested in or Acts authorized or required to be done under this Act by the Police Magistrate and the Secretary of State, or either of them, in relation to the surrender of a fugitive criminal, may be done by the governor of the British possession alone ;
- (3.) Any prison in the British possession may be substituted for a prison in Middlesex ;
- (4.) A judge of any court exercising in the British possession the like powers as the Court of Queen's Bench exercises in England, may exercise the power of discharging a criminal when not conveyed within two months out of such British possession.

Saving of
laws of British
possessions.

18. If by any-law or ordinance, made before or after the passing of this Act by the legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying this Act, in the case of any foreign State, or by any subsequent order, either

Suspend the operation within any such British possession of this Act, or of any part thereof, so far as it relates to such foreign State, and so long as such law or ordinance continues in force there, and no longer ;

or