

B I L L .

An Act for better giving effect, within this Province, to a Treaty between Her Majesty and the United States of America, for the apprehension and surrender of certain Offenders.

1 **W**HEREAS by the tenth article of a Preamble
 2 Treaty between Her Majesty and
 3 the United States of America, signed at Treaty with
 4 Washington on the ninth day of August, in U S 9th
 5 the year one thousand eight hundred and August, 1842,
 6 forty-two, the ratifications whereof were cited.
 7 exchanged at London, on the thirteenth day
 8 of October in the same year, it was agreed
 9 that Her Majesty and the said United
 10 States, should, upon mutual requisitions by
 11 them or their Ministers, Officers or autho-
 12 rities respectively made, deliver up to justice
 13 all persons who, being charged with the
 14 crime of Murder, or Assault with intent to
 15 commit Murder, or Piracy, or Arson, or
 16 Robbery, or Forgery, or the utterance of
 17 Forged Paper, committed within the juris-
 18 diction of either of the High Contracting
 19 Parties, should seek an Asylum or should be
 20 found within the Territories of the other ;
 21 provided that this should only be done
 22 upon such evidence of criminality as ac-
 23 cording to the Laws of the place where the
 24 fugitive or person so charged should be
 25 found, would justify his apprehension and
 26 commitment for trial if the crime or offence
 27 had been there committed ; and that the
 28 respective Judges and other Magistrates of
 29 the two Governments should have power,
 30 jurisdiction and authority upon complaint
 31 made under oath, to issue a warrant for the
 32 apprehension of the fugitive or person so
 33 charged, so that he might be brought before
 34 such Judges or other Magistrates respective-
 35 ly, to the end that the evidence of criminality
 36 might be heard and considered, and if on
 37 such hearing the evidence should be deemed