In the Lorenz case, just referred to, the requisition for surrender was only made after committal, and it was found to have been made in due time, since surrender was ordered. I think there is nothing in this objection.

OBJECTION TO THE ADMISSIBILITY OF FOREIGN EVIDENCE.

A more serious objection raised by the defence is the one relating to the legality of the written evidence put before me by the prosecution.

Section 10 of the Extradition Act states: "10.—Depositions taken out of Canada— When to be deemed authenticated:

Depositions or statements taken in a foreign state on oath, or on affirmation, where affirmation is allowed by the law of the state, and copies of such depositions or statements, and foreign certificates of or judicial documents stating the fact of conviction may, if duly authenticated, be received in evidence in proceedings under this Act: 2.—Such papers shall be deemed duly authenticated if authenticated in manner provided, for the time being by-law, or if authenticated as follows:

(*a*) If the warrant purports to be signed by or the certificate purports to be certified by or the depositions or statements, or the copies thereof, purport to be certified to be the originals or true copies, by a judge, magistrate, or officer of the foreign state;

(*b*) And if the papers are authenticated by the oath or affirmation of some witness, or by being sealed with the official seal of the Minister of Justice, or some minister of the foreign state, or of a colony, dependency, or constituent part of the foreign state; of which seal the judge shall take judicial notice without proof."

The defence contends that the documents and papers filed by the prosecution as foreign evidence are not copies of depositions or statements on oath, they not being legally depositions or statements on oath in the United States, be-