incentive to fraud; when men become somewhat embarrassed, it affords such a facility of evading the payment of just debts. It will, no doubt, be argued, that by obtaining a judgment in the courts of the Dominion, you can collect elsewhere. But men of legal experience know how much more difficult, in fact, how impossible it is to collect upon a judgment in a foreign country. And if it really can be shewn and is generally felt, that the exclusion of the provision, now proposed has the tendency of encouraging small and large debtors when they become embarrassed, to think of leaving the Dominion, it would surely be wise, so to amend the treaty in this particular. It may, perhaps, be argued, what can be gained by bringing back a debtor so fraudulently disposed? Why, under the pressure which might be brought to bear under requirement of bail, an equitable settlement of the debt would in most cases be obtained, while the debtor would not be driven to another country. He (the mover) could not but feel that, upon different grounds; it was in the interest of both countries, that the treaty should be thus extended, and if no weighty objections could be advanced, he ventured to hope that those views would meet with the concurrence of this branch of the Legislature, and also of the Government, and that they would see fit to solicit the Imperial Government to accomplish the object desired.

Hon. Mr. DICKEY seconded the motion, and when it was put,

Hon. Mr. MILLER did not think that the adoption of the motion would be followed by any practical result, and it would, therefore, in his opinion, be injudicious to assent to it. (Hear, hear.) The law of extradition, as founded on treaty, had only had a very recent application in England, the treaties with the United States and France in 1842 and 1843 being the first ever negotiated by that country, and, with the exception of some arrangement of the same kind with China, they continued to stand alone until 1862, when a similar treaty was negotiated with Denmark. In Great Britain, however, within the last few years, the subject of extradition had received greater attention than had ever before been given to it. Since 1862, treaties of this nature had been entered into by England with the chief European powers. The subject must, therefore, have received careful consideration in all its aspects from the Imperial statesmen during that period; but he was not aware of any case in which the policy of extending those treaties to civil liabilities had ever been mooted or discussed. (Hear, hear.) Certainly, in none of the numerous treaties of extradition entered into with foreign States, had debt or civil causes of any kind been included. The right of a State to demand extradition for any cause, from another sovereign State, in the absence of treaty obligations, was a point on which the best writers on the subject differed. It is true that Vattel, among other high authorities, asserted that right far beyond criminal offences as one of international obligation, and contended that even in cases of ordinary transgressions, which are only the subjects of prosecution, either with the view to the recovery of damages or the infliction of a slight civil punishment, the subjects of two neighboring States are reciprocally obliged to appear before the magistrate of the place where they are accused of having failed in their duty. In those European countries where the law of extradition had always had a much wider scope, as well as a much earlier application, than in Great Britain, that doctrine may have been assented to, but it had never been accepted or acted on by the British authorities. In the latter country, there had always been exhibited a remarkable caution and sensitiveness in infringing on any pretext whatever of a civil or political character, on the right of asylum, and even in the highest criminal offences, extradition as a general rule had only been granted, under treaty arrangements. It was also now a settled law in the United States that a fugitive criminal could only be given under express legislative enactments. Those countries most distinguished for their political freedom had always been the most cautious in interfering with the privileges of those living under the protection of their laws. It was only under despotic Governments that minor crimes, civil liabilities and political offences had formed the subjects of extradition. (Hear, hear.) In England and the United States the question had never been entertained, except in relation to persons charged with crimes contrary to the laws and safety of all nations. In the numerous treaties entered into by both countries with foreign powers, and especially by England within the last twelve years, this policy had been rigidly adhered to, as much so by one country as the other. He did not mean to say that some offences had not been omitted that might have been provided for with benefit to both nations. No doubt in countries bordering on each other like Canada and the United States, greater facilities and a more comprehensive category of offences should exist in regard