

and therefore the judgment of the County Court in favour of the plaintiff was affirmed.

EXTRADITION—DISCHARGE FROM CUSTODY—"COMMITTED TO PRISON"—ARREST UNDER WARRANT—LAPSE OF TWO MONTHS AFTER ARREST—EXTRADITION TREATY WITH FRANCE, 1876, ART. 10.

*The King v. Governor of Brixton Prison* (1912) 3 K.B. 190. This was an application by a prisoner arrested under the Extradition Treaty with France, for discharge from custody on the ground that under article 10 of the Treaty, he was entitled to be discharged if not surrendered and conveyed away within two months after "committal to prison." Two months had elapsed since the applicant had been taken into custody under warrant of a magistrate, and the proceedings for his extradition were still pending. The Divisional Court (Darling, and Channell, JJ.), held that "committal to prison" in the Treaty meant the committal of the accused by the magistrate on the conclusion of the proceedings before him to await the warrant of the Secretary of State for his extradition, and did not mean his committal in the first instance pending the inquiry as to whether or not he should be extradited. The motion was therefore refused.