

A.—No, sir.

Q.—Do you swear that he did not assert that he had authority?

A.—He told me he had authority."

I am at a loss to find in this conversation any word or act, on the part of Kellert, which resembles even any attempt at inducement, whether by the way of threats or promise of favor. The accused himself forces the conversation on the subject, and he makes such admissions, because he believes that his frauds do not amount to forgeries, and that he can defy justice.

I therefore hold these admissions, under the circumstances to be admissible, as proof against the accused, and to aid in the determination of the facts that the drafts were filled up by him, without specific authority, and for his own purpose.

Reference also may be made, to establish this last point for one of the drafts, to the deposition of G. Brown, to whose order that particular draft is made payable, and who says that it was given to him by the accused, outside of the Bank, and for his, accused's private purpose.

I do not attach much weight to Mr Irwin's evidence, and do not think it of any avail to refer to it.

Now, section 13th, of the extradition act declares, that :
' in the case of a fugitive accused of an extradition crime, if such evidence is produced, as would according to the law of Canada, subject to the provisions of this act, justify his committal for trial, in case the crime had been committed in Canada, the judge shall issue his warrant for the committal of the fugitive, to the nearest convenient prison. "

Convinced, as I am, that there is more than a *prima facie* case of forgery made out against the accused, and that such a forgery is one of those contemplated by section 10 of the Treaty, it becomes my duty to order, that the accused be committed to the common Goal of this District, and there to remain until surrendered to the