

mitted, or to which he or she shall be delivered as aforesaid, it shall be lawful to retake such person, in the same manner as any person accused of any crime against the laws of this Province, may be retaken upon an escape.

Offenders escaping may be retaken

IV. And be it enacted, That when any person who shall have been committed under this Act and the Treaty aforesaid, to remain until delivered up in pursuance of a requisition as aforesaid, shall not be delivered up pursuant thereto, and conveyed out of this Province within two calendar months after such commitment, over and above the time actually required to convey the prisoner from the gaol to which he or she may have been committed, by the readiest way out of this Province, it shall in every such case, be lawful for any of the Judges of Her Majesty's Superior Courts in this Province, having power to grant a Writ of *Habeas Corpus*, upon application made to him or them by or on behalf of the person so committed, and upon proof made to him or them that reasonable notice of the intention to make such application has been given to the Provincial Secretary, to order the person so committed to be discharged out of custody, unless sufficient cause shall be shewn to such Judge or Judges why such discharge shall not be ordered.

Any person so arrested and not delivered up within two months, may obtain his discharge, unless good cause for his further detention be shewn

V. And be it enacted, That this Act shall come into force upon the day to be appointed for that purpose in any proclamation to be issued by the Governor, Lieutenant-Governor, or Person Administering the Government of this Province, for the purpose of promulgating any Order of Her Majesty with the advice of Her Privy Council suspending the operation of the Imperial Act hereinbefore cited within this Province, and not before, and shall thereafter continue in force during the continuance of the tenth article of the said Treaty, and no longer.

Commencement and duration of this Act