first schedule to this Act,—and, in the application of this Act to the case of any extradition arrangement, means any crime described in such arrangement, whether comprised in the said schedule or not.

Section 24 of the same Act, says:

"The list of crimes in the first schedule to this Act shall be construed according to the law existing in Canada at the date of the alleged crime, whether by common law or by statute made before or after the passing of this Act, and as including only such crimes, of the descriptions comprised in the list as are, under that law, indictable offences."

Section 11 of the said Act states:

11.—"If, in the case of a fugitive alleged to have been convicted of an extradition crime, such evidence is produced as would, according to the law of Canada, subject to the provisions of this Act, prove that he was so convicted,— and if, in the case of a fugitive accused of an extradition crime, such evidence is produced as would, according to the law of Canada, subject to the provisions of this Act, justify his committal for trial, if the crime had been committed in Canada, the judge shall issue his warrant for the committal of the fugitive to the nearest convenient prison, there to remain until surrendered to the foreign state, or discharged according to law; but otherwise the judge shall order him to be discharged."

These citations of the Act dispose, I think, of this last objection of the defence. Besides, it has been held in *ex parte*, Lamarande, 10 L.C.J., p. 280; *ex parte* Worms, 22 L.C.J., 109; in *re* T. B. Smith, 4 U.C.P.R. 215, that the acts alleged must constitute an offence under Canadian law.

Ex part Seitz (Vol. 3), Can. Crim. Cas., p. 127.

The same views are held in the United States, where it is held that the offence must be one against the law of the United States. See *re* Farez 7 Blatchford, 357; *re* Wadge,