

proceedings to commit, and the service of a subpoena not being a proceeding to commit, has been, therefore, considered not to be within the exception. The contrary construction, however, having now been given to the Rule, it is needless to say that that construction must now govern, unless or until overruled or changed.

A COMPLEXITY IN INTERNATIONAL LAW.

The use of a vessel of Norwegian register to convey the Banwells from Jamaica to Halifax raises, under the special circumstances of the case, a question of some interest. Before the vessel sailed, one, at least, of the fugitives was in the custody of a detective officer from Toronto by virtue of a mandate from the Governor of the Island, which authorized his surrender to Canada. The statute by which his apprehension and removal were sanctioned is the Fugitive Offenders' Act.

This Act discloses, in the main, the framework of an extradition Act, based upon a convention, entered into between foreign states vested with the sovereignty required to make it efficacious and binding. The cardinal features observable in such a convention and Act—regular notification by the pursuing country of the crime alleged to have been committed, a demand, with certain formality, for the return of the accused, the setting in motion of some judicial officer to effectuate this, and the ultimate action by the executive of the sister Dominion—are all to be found in the scheme for intercolonial rendition which the statute in question comprises.

It need scarcely be mentioned that where transit from one quarter of His Majesty's possessions to another may only be affected by sea, and where it becomes necessary to proceed beyond the three-mile limit, authority for the entry and passage must be conferred by the Imperial Parliament: *Reg. v. Mount*, 6 P. Cap. 283. In that case the Judicial Committee, taking up this very point of a dependency's control over the High Seas, declare, by their mouthpiece, Sir Montague E. Smith, that