

hold office during pleasure, and if resident out of Toronto, may receive remuneration out of fees payable by the suitors, under a tariff fixed by the G. in C., and published in the *Canada Gazette*, and laid before Parliament. The fees are, however, to be paid in to the R. G. to credit of the C. R. F., and thereout the emoluments of the surrogates are to be paid. The G. in C. is to appoint a Registrar and Marshal and other necessary officers. Oaths may be administered by officers or Comrs. of the Supreme and Exchequer Courts as well as by the Judges, Registrar or Deputy of the Court itself. Barristers and solicitors practicing before the other Ontario Courts may do so before this. An appeal lies to the Supreme Court. Procedure, as in other appeals to that Court, unless otherwise ordered. The Act shall come into force respecting appointments, rules, &c., when proclaimed, and in other respects when subsequently proclaimed.

SUPREME AND EXCHEQUER COURTS.

Chap. 22—Does away with the prosecution for perjury in a Canadian County or District for oaths or affirmations falsely made out of Canada. Service of subpoena on witness must be made within Canada to incur the penalties of contempt, &c., for non-attendance, &c. The Sheriff of the County of Carleton, is *ex-officio* the Sheriff of the Supreme Court.

JUDGES' SALARIES, &c.

Chap. 23—County Court Judges in any Province may be pensioned, if disqualified by permanent infirmity, after 10 yrs. service, instead of 15.

B. C. JUDGES TRAVELLING ALLOWANCE.

Chap. 24—The G. in C. may fix the travelling allowance of British Columbia District and County Court Judges, which may be paid out of the C. R. F.

EXTRADITION.

Chap. 25—Proceedings commenced under a previous law may be completed under this. This Act applies to all arrangements with foreign States, concerning which the Imperial Act has been suspended or ceased to apply, and must be so read as providing for the execution of such arrangement, not in any way to contravene it. The provisions of this Act are to be subjected, by the G. in C., to the same limitations and conditions as those which affect the application of the Imperial Act in Great Britain, to the arrangement with any foreign State. Any O. in C., passed under this Act, may be revoked or altered. They are to take effect from the time mentioned therein, or the date of publication in the *Canada Gazette*. Any Imperial O. in C. referred to in the Act, any Dominion O. in C., and any extradition arrangement, must be published in the *Canada Gazette* and laid before Parlt. Such publication makes proof of the contents of the arrangement or O. in C. No fugitive is liable to surrender if the offence charged be of a political character, or it appear that the proceedings are taken to

enable the claiming power to prosecute or punish him for such offence. A fugitive criminal may be surrendered if the crime was committed or conviction had before the date of the arrangement, the coming into force of this Act or its application to the case of the foreign State who claims, or if any Court in H. M. dominions have jurisdiction in the case. Any judge of a Superior or County Court, in any province or territory, or Comr. appointed for the purpose, has jurisdiction as a Judge in extradition matters; but no jurisdiction in *habeas corpus* matters is hereby conveyed. Depositions in any foreign State, or copies of them, or certificates of, or judicial documents showing conviction are to be received in evidence, if authenticated as follows: Warrants purporting to be signed, or certificates certified by, or depositions, &c., or copies, certified by a judge, magistrate or officer of the foreign State, and having added the oath or affirmation of some witness, or the official seal of the M. of J. or other Minister of such State. No proof of the seal is needed. A warrant issued under this Act may be executed as if issued or endorsed by a J. P. The judge's warrant to issue upon the same grounds as heretofore. He reports the issue at once to the M. of J. transmitting copies of the depositions and foreign documents. The fugitive is to be brought before him and proceedings had as in other preliminary inquiries into criminal cases in Canada. And evidence is to be received, if offered, to show that the offence is political, or not an extradition crime, or that the proceedings are taken, with a view to punish for a political offence. If the conviction is proved, or sufficient evidence of crime given as to justify committal for trial in Canada, the judge commits the fugitive to the nearest prison to remain till surrendered or discharged. On committal, the judge must inform the fugitive that he will not be surrendered for 5 days and may apply for *habeas corpus*; and he must transmit a certificate of committal and copy of all evidence not previously sent to the M. of J. A requisition for surrender may be made to the M. of J. by any Consular officer of the State, resident in Ottawa, or by a Minister of foreign State through her H. M. diplomatic representative there, or in any other manner settled by the arrangement. The M. of J. may refuse an order to surrender, or cancel one made, and the commitment of the judge, if because of the political nature of the offence or prosecution, or other cause he deems it not fit that he should be surrendered, or that the foreign government does not intend to apply for the surrender. A fugitive may not be surrendered till after 15 days after committal, or, if a *habeas corpus* writ has issued, till the decision of the Court remanding him. A fugitive charged with, or convicted of another offence in Canada, must be acquitted or undergo his punishment here before he is surrendered. If none of these reasons prevent, the M. of J. may order the surrender of the fugitive to any officer or person authorized by the foreign State to receive; and such officer or person may hold him in custody and convey him to such foreign State. If the fugitive escape from him, he may be taken as any other person escaping from