

No. 91.

GOVERNMENT NOTIFICATION.

EXTRADITION OF CRIMINALS.

The following Order of Her Majesty in Council is published for general information.

By Command,

J. M. PRICE,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 4th May, 1878.

At the Court at *Osborne House, Isle of Wight*, the 13th day of *August*, 1877.

PRESENT,

The QUEEN'S Most Excellent Majesty in COUNCIL.

Whereas by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-third and thirty-fourth years of the reign of Her present Majesty, intituled "An Act for amending the law relating to the Extradition of Criminals," and also by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-sixth and thirty-seventh years of the reign of Her present Majesty, intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty concluded on the twentieth day of May, one thousand eight hundred and seventy-six, between Her Majesty and His Majesty the King of the Belgians, extending the provisions of the above-mentioned Acts of Parliament were applied by an Order in Council of the twenty-first day of July, one thousand eight hundred and seventy-six:

And whereas a Declaration was concluded on the twenty-third day of July, one thousand eight hundred and seventy-seven, between the Government of Her Majesty and the Government of His Majesty the King of the Belgians, extending the provisions of the above-mentioned Treaty to certain additional crimes, which Declaration is in the terms following:—

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of the Belgians, having judged it expedient, with the view to the more complete prevention of crime within their respective territories, that persons charged with or convicted of certain crimes in addition to those enumerated in Article I of the Treaty between Great Britain and Belgium for the mutual surrender of fugitive criminals, of the 20th of May, 1876, shall, under the provision of that Treaty, be reciprocally delivered up, have agreed as follows:—

Persons charged as principals or accessories with or convicted of the undermentioned crimes committed in the territories of the one Party and who shall be found within the territories of the other Party, shall be reciprocally delivered up to each other under the circumstances and conditions stated in the Treaty between Great Britain and Belgium for the mutual surrender of fugitive criminals, of the 20th of May, 1876:—

Le Gouvernement de Sa Majesté la Reine du Royaume-Uni de la Grande Bretagne et d'Irlande, et le Gouvernement de Sa Majesté le Roi des Belges, ayant jugé opportun, afin de mieux assurer la répression des crimes dans leurs territoires respectifs, de se livrer réciproquement, sous les conditions établies par le Traité conclu le 20 Mai, 1876, entre la Grande Bretagne et la Belgique pour l'extradition mutuelle des malfaiteurs, les personnes accusées ou condamnées du chef de certains crimes autres que ceux énumérés dans le dit Traité, sont convenus de ce qui suit:—

Les personnes accusées ou condamnées, comme auteurs ou complices du chef des infractions ci-dessous énumérées commises dans le territoire de l'une des Parties, et qui seront trouvées dans le territoire de l'autre Partie, seront réciproquement livrées dans les circonstances et conditions établies par le Traité du 20 Mai, 1876, conclu entre la Grande Bretagne et la Belgique pour l'extradition des malfaiteurs:—

1. Administering drugs or using instruments with intent to procure the miscarriage of women.
2. Bigamy.
3. Abandoning children, exposing or unlawfully detaining them.
4. Any malicious Act done with intent to endanger persons in a railway train.
5. Receiving any chattel, money, valuable security, or other property, knowing the same to have been embezzled, stolen, or feloniously obtained.

The provisions of the present Declaration shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties.

In witness whereof, the undersigned have signed the present Declaration, and have affixed thereto the seals of their arms.

Done at London, in duplicate, the 23rd day of July, 1877.

(L.S.) DERBY.

(L.S.) SOLVYNS.

1. Administration de drogues ou usage d'instruments en vue de provoquer l'avortement.

2. Bigamie.

3. Délaissement, exposition ou recel d'enfants.

4. Tout acte punissable commis avec l'intention méchante de mettre en danger des personnes se trouvant dans un train de chemin de fer.

5. Recèlement frauduleux d'argent, valeur ou objets mobiliers provenant d'escroquerie, vol ou détournement.

La présente Déclaration entrera en vigueur dix jours après sa publication dans les formes prescrites par la législation des pays respectifs.

En foi de quoi les soussignés ont dressé la présente Déclaration, qu'ils ont revêtue du cachet de leurs armes.

Fait, en double expédition, à Londres le 23 Juillet, 1877.

(L.S.) DERBY.

(L.S.) SOLVYNS.

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the twenty-seventh day of August, one thousand eight hundred and seventy-seven, the said Acts shall apply in the case of the said Declaration with the Government of His Majesty the King of the Belgians as fully to all intents and purposes as in the case of the said recited Treaty.

C. L. PEEL.

No. 92.

GOVERNMENT NOTIFICATION.

The following is published for general information.

By Command,

J. M. PRICE,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 4th May, 1878.

Copy of Draft Article, applying Commercial Treaties to British and Foreign Colonies, as approved of by the Secretary of State for the Colonies, for insertion in future Treaties of Commerce.

ARTICLE.

The stipulations of the present Treaty shall be applicable to the Colonies and Foreign Possessions of the two High Contracting Parties named in this Article.

(Here insert names of those Colonies, &c., to be included in the Treaty.)

The stipulations of the present Treaty shall be also applicable to any Colony or Foreign Possession of either of the two High Contracting Parties not included in this Article, upon the conclusion by the High Contracting Parties of a Supplementary Convention to that effect.

In the latter case, the stipulations of the present Treaty shall, subject to such modifications as may be agreed upon by the High Contracting Parties, from and after a date to be agreed upon, not later than six months from the date of the ratification of such Supplementary Convention, become as fully applicable to such Colony or Foreign Possession as if it had been mentioned by name in the present Article.