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FRIDAY, JULY 4, 1879

AT the Court at *Windsor*, the 26th day of *June*, 1879.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

THIS day Sir John Mellor, Knight, was, by Her Majesty's Command, sworn of Her Majesty's Most Honourable Privy Council, and took his place at the Board accordingly.

AT the Court at *Windsor*, the 26th day of *June*, 1879.

PRESENT,

The QUEEN's Most Excellent Majesty.

His Royal Highness Prince Leopold.

Lord President.

Lord Privy Seal.

Sir Michael E. Hicks-Beach, Bart.

WHEREAS by the second section of an Act passed in the session of the 29th and 30th years of Her Majesty's reign chapter 115, entitled "An Act to provide for the Government of the Straits Settlements" it is enacted that it shall be lawful for Her Majesty by Order or Orders in Council to be by Her from time to time made, with the advice of Her Privy Council, to establish all such Laws, Institutions and Ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such Courts, and for the administration of justice, and for the raising and expenditure of the public revenue as may be deemed advisable for the peace, order and good government of Her Majesty's subjects and others within the said Settlements, or within any territory which may at any time be part of or dependant upon the same, any law statute or usage to the contrary in anywise notwithstanding.

And whereas it is expedient to provide for the surrender by the Governor of the said Settlements to Foreign States in the case of which the Extradition Act 1870 does not apply of persons accused of the commission of certain crimes within the jurisdiction of such States.

Now therefore it is hereby ordered by Her Majesty by and with the advice of Her Privy Council as follows :

1. If requisition be made to the Governor of the Straits Settlements by any Foreign State in the case of which the Extradition Act, 1870 does not for the time being apply or by any person recognised by him as an authorized minister or officer consul or vice-consul of such State for

the surrender of a fugitive criminal of such State who is or is suspected of being in any part of the Straits Settlements, the Governor may issue an order under his hand and seal to any magistrate of the said Settlements directing him to enquire into the truth of the charge.

2. Every such order for inquiry shall signify that the requisition for surrender has been made, shall state the nature of the crime charged, the name or designation (if the name be not known) and any other description that may be thought necessary of the fugitive criminal and shall require the magistrates to whom it shall be directed or any of them to inquire into the truth of the charge and proceed in pursuance of this Order in Council.

3. The order for enquiry shall be a sufficient proof of the requisition having been made, and a sufficient justification for all acts done in pursuance thereof and upon production thereof to the magistrate to whom it is directed he shall have the same powers as if the crime charged had been committed within his jurisdiction.

4. If the evidence adduced shall be such a would in the opinion of the magistrate justify the apprehension of the fugitive criminal named or designated in the order, if the crime charged had been committed within his jurisdiction he shall issue his warrant for the apprehension of the fugitive criminal. The warrant shall be issued in the same manner as if the crime charged had been committed within the jurisdiction of the magistrate issuing it and shall contain a memorandum stating that it is issued under this Order in Council.

5. Every warrant for the apprehension of a fugitive criminal issued under this Order in Council may be executed in any part of the Straits Settlements.

6. A fugitive criminal apprehended on a warrant issued under this Order in Council shall be forthwith brought before a magistrate within whose jurisdiction he shall be apprehended, and such magistrate shall deal with the case in the same manner as if the fugitive criminal were charged with an indictable offence committed within his jurisdiction.

7. If any fugitive criminal shall, in pursuance of this Order in Council, be brought before a magistrate other than the magistrate who issued the warrant for his apprehension, the depositions and documents upon which the warrant was issued, or copies thereof certified under the hand of the magistrate by whom the warrant was issued, shall, upon the requisition of the magistrate before