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FRIDAY, JANUARY 11, 1884.

AT the Court at *Osborne House, Isle of Wight*, the 31st day of *December*, 1883.

PRESENT.

The QUEEN's Most Excellent Majesty.
His Royal Highness Prince Leopold, Duke of Albany.

Lord President.
Sir Henry Ponsonby.

WHEREAS by an Order in Council dated the 26th day of June 1879 provision was made for the surrender by the Governor of the Straits 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.

And whereas it is expedient to provide for the surrender by the Governor of the said Settlements to such Foreign States as aforesaid of persons convicted of the commission of certain crimes within the jurisdiction of such States and otherwise to amend the said Order in Council.

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

I. In the said Order in Council of the 26th day of June 1879 (hereinafter referred to as the principal Order) and in this Order in Council

(1.) The term "fugitive criminal" includes any person convicted of any crime committed either before or after the date of the principal order which if committed in England or within English jurisdiction would be one of the crimes described in the schedule to the principal Order, or of having counselled, procured, commanded, aided, or abetted the commission of, or of being accessory before or after the fact to any such crime as aforesaid.

(2.) The term "fugitive criminal of a state" includes a person convicted of any such crime as aforesaid or of having counselled, procured, commanded, aided or abetted the commission of, or of being accessory to any such crime as aforesaid committed within the jurisdiction of that state.

(3.) With reference to each of the Malayan States under the protection of the British Government the terms "fugitive criminal" and "fugitive criminal of a state" include any person accused or convicted of a breach of a contract of service to be performed within the jurisdiction of such state committed either before or after the date of the principal Order within the jurisdiction of such state which if it had been committed in the Straits

Settlements and the contract broken had been a contract to be performed in the Straits Settlements would have been punishable under the law of the said Settlements with imprisonment or with fine and with imprisonment in default of payment of such fine.

(4.) The word "crime" includes any such breach of contract as aforesaid committed within the jurisdiction of any of the said protected states.

(5.) The word "charge" includes "conviction."

(6.) The term "the crime charged" includes the crime of which the fugitive criminal is alleged to have been convicted.

(7.) The terms "conviction" and "convicted" do not include or refer to a conviction which under foreign law is a conviction for contumacy but the term "accused" includes a person convicted for contumacy.

II. Foreign certificates of or judicial documents stating the fact of a conviction may if duly authenticated be received in evidence in proceedings under the principal Order as amended by this Order and such certificates or judicial documents shall be deemed to be duly authenticated for the purposes of the principal Order as amended by this Order if they purport to be certified by a Judge Magistrate or Officer of the Foreign State where the conviction took place and if they are authenticated by the oath of some witness or by being sealed with the official seal of some Minister of State and all courts of Justice and Magistrates in the Straits Settlements shall take judicial notice of such official seal.

III. The Magistrate before whom a fugitive criminal alleged to have been convicted as aforesaid is brought in pursuance of the principal Order as amended by this Order shall if such evidence is produced as subject to the provisions of the principal Order as amended by this Order would according to the law of the Straits Settlements prove that the prisoner was so convicted commit him to prison but otherwise shall order him to be discharged.

IV. The Magistrate before whom a fugitive criminal of any of the said protected States accused of any such breach of contract as aforesaid shall be brought in pursuance of the principal Order as amended by this Order shall if such evidence is produced as (subject to the provisions of the principal Order as amended by this Order) would according to the law of the Straits Settlements have justified the committal for trial of the fugitive criminal if the breach of contract of which