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TUESDAY, AUGUST 27, 1889.

AT the Court at *Osborne House, Isle of Wight*, the 19th day of *August*, 1889.

PRESENT.

The QUEEN's Most Excellent Majesty.
 Lord President.
 Marquess of Salisbury.
 Sir Henry Ponsonby.

WHEREAS by Orders in Council dated respectively the twenty-sixth day of June, One thousand eight hundred and seventy-nine, the thirty-first day of December, One thousand eight hundred and eighty-three, and the twenty-ninth day of November, One thousand eight hundred and eighty-four, provision has been 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 or convicted of the commission of certain crimes and offences within the jurisdiction of such States.

And whereas it is expedient to consolidate and amend the said orders:

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

1. In this Order in Council

"The Governor" means the person for the time being administering the Government of the Straits Settlements.

"The Colony" means the Straits Settlements.

"Protected States" means the States specified in the second schedule to this Order, and the Confederation or Group of States known as the Nègri Sèmbilan shall be deemed for the purposes of this Order to be one State.

"Fugitive Criminal" means any person accused or convicted of any crime committed either before or after the date of this Order, which, if committed in England or within English jurisdiction would be one of the crimes described in the first schedule to this Order, or of having counselled, procured, commanded, aided, or abetted the commission of, or of being accessory before the fact, to any such crime as aforesaid.

"Fugitive Criminal of a State" means a person accused or convicted of any such crime as aforesaid, or of having counselled, procured, commanded, aided or abetted the commission of, or of being accessory before the fact to any such crime as aforesaid, committed within the jurisdiction of that State.

With reference to each of the Protected States, "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 this Order within the jurisdiction of such State which, if it had been committed in the Colony and the contract broken had been a contract to be performed in the Colony would have been punishable under the law of the Colony with imprisonment or with fine and with imprisonment in default of payment of such fine.

"Crime" includes any such breach of contract as aforesaid committed within the jurisdiction of any of the Protected States.

"Charge" includes "conviction."

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

"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.

The masculine includes the feminine.

2. For the purposes of this Order every Colony, Dependency and constituent part of a Foreign State shall be deemed to be within the jurisdiction of such Foreign State.

3. If requisition be made to the Governor by any Foreign State in the case of which "The Extradition Act, 1870," does not for the time being apply, or by any person recognized by him as an authorized Minister or Officer, Consul, or Vice-Consul of such State, or, in the case of any of the Protected States, by any Officer appointed by Her Majesty or by the Governor as British Resident or Superintendent or Secretary to the Government in such State, for the surrender of a fugitive criminal of such State who is or is suspected of being in any part of the Colony, the Governor may issue an order under his hand and seal to any Magistrate or Magistrates of the Colony directing him or them or any of them to inquire into the truth of the charge.

4. The Governor shall not be bound to comply with a requisition for the surrender of a fugitive criminal under this Order, but may at his absolute discretion either comply with any such requisition in accordance with the provisions of this Order with or without conditions, or refuse to comply therewith.