

You will be aware, from the revised edition of the statutes, that these sections, together with a portion of section 12, are all that remain of the Act.

With regard to section 61, the intention in applying 52 George III., c. 155, to those colonies in which the recited Acts were in force seems to have been to provide against interruption of public worship. What its connection is with the abolition of slavery is not so clear. However that may be, the recited Acts are all repealed (except three sections of 1 W. and M., c. 18); and the question arises whether there is any justification for preserving, as to any of the colonies, the Act 52 George III., c. 155. That Act deals partly with questions which seem not to have any existence in the colonies; while, as to the disturbance of public worship, it is suggested that these are matters probably covered by colonial legislation.

If section 61 may be repealed, I apprehend that section 64 may be repealed also. It can apply only to section 61, inasmuch as slavery (the main subject of the whole Act) has been abolished in India, Ceylon, and St. Helena. And in that case section 66, which is a mere definition, could be repealed also.

I have, &c.,

The Under-Secretary of State for the Colonies.

ALBERT GRAY.

No. 66.

(Circular.)

SIR,—

Downing Street, 28th December, 1887.

A.—2, 1887, Sess.
I., No. 2.

With reference to my predecessor's circular despatch of the 29th of December, 1885, relative to the authentication of extradition papers required by section 5 of the Act passed in August, 1882, by the United States Congress, I have the honour to transmit herewith, for your information, a memorandum embodying a copy of a form of authentication adopted in 1883. This certificate, with the certificate of the United States Minister in similar terms, was accepted, in the particular case, as sufficient by the United States Courts, and the same forms have been employed in subsequent cases without successful objection being raised to them.

The memorandum also comprises an extract from a letter from the counsel to Her Majesty's Consulate-General at New York, concerning the particulars required by the United States Courts when a request for extradition for the crime of forgery is transmitted by telegraph.

I have, &c.,

H. T. HOLLAND.

The Officer Administering the Government of New Zealand.

Enclosure.

MEMORANDUM.—AUTHENTICATION of DOCUMENTS in UNITED STATES EXTRADITION CASES.

IN consequence of difficulties which had arisen as to the evidence in extradition cases, the United States Congress, in August, 1882, passed an Act "regulating Fees and Practice in Extradition Cases;" and section 5 of this Act now contains the law as to the authentication of the documentary evidence offered in support of a demand for the extradition of a fugitive offender from the United States.

The section is as follows:—Section 5: "That in all cases where any depositions, warrants, or other papers, or copies thereof, shall be offered in evidence upon the hearing of any extradition case under Title Sixty-six of the Revised Statutes of the United States, such depositions, warrants, and other papers, or the copies thereof, shall be received and admitted as evidence on such hearing for all the purposes of such hearing, if they shall be properly and legally authenticated so as to entitle them to be received for similar purposes by the tribunals of the foreign country from which the accused party shall have escaped; and the certificate of the principal diplomatic or consular officer of the United States resident in such foreign country shall be proof that any deposition, warrant, or other paper, or copies thereof, so offered, are authenticated in the manner required by this Act."

The following form of certificate for the authentication of extradition papers was prepared by the Home Office and attached to the papers in a case which occurred in 1883: "I hereby certify that, to the best of my knowledge and belief, the signatures 'Chas. Lister' on the annexed warrant of arrest, and on the annexed information and depositions on which the warrant was granted, are the signatures of Charles Lister, Esq., one of Her Majesty's Justices of the Peace for the City of Manchester, having authority to issue and receive the same, and I further certify that such documents so signed by a Magistrate having jurisdiction in the place where the same were issued and taken, and authenticated by a Minister of State and sealed with his official seal, would be received as evidence of the criminality of a fugitive criminal from the United States charged before a tribunal in Great Britain with an extradition crime under the Extradition Treaty between Great Britain and the United States.—(L.S.) A. F. O. LIDDELL, Under-Secretary of State for the Home Department. Whitehall, 4th May, 1883."

The above Home Office certificate of the 4th May, 1883, and the certificate of the United