

Enclosure.

ORDER IN COUNCIL.

Extradition Treaty between Great Britain and Monaco.

Windsor, 9th May, 1892.

At the Court at Windsor, the 9th day of May, 1892.

Present: The Queen's Most Excellent Majesty, Lord President, Lord Steward, Earl of Yarborough, Sir Walter Barttelot, Bart., Mr. Forward.

WHEREAS by the Extradition Acts, 1870 and 1873, 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 that if, by any law made after the passing of the Act of 1870 by the Legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign State, or by any subsequent order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it relates to such foreign State, and so long as such law continues in force there and no longer:

And whereas by an Act of the Parliament of Canada passed in 1886, and entitled "An Act respecting the Extradition of Fugitive Criminals," provision is made for carrying into effect within the Dominion the surrender of fugitive criminals:

And whereas by an Order of Her Majesty the Queen in Council, dated the seventeenth day of November, one thousand eight hundred and eighty-eight, it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of the said Act of the Parliament of Canada of 1886 should continue in force and no longer:

And whereas a treaty was concluded on the seventeenth day of December, one thousand eight hundred and ninety-one, between Her Majesty and His Serene Highness the Prince of Monaco, for the mutual extradition of fugitive criminals, which treaty is in the terms following:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Serene Highness the Prince of Monaco, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, the said high contracting parties have named as their Plenipotentiaries to conclude a treaty for this purpose, that is say,—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India: Edwin Henry Egerton, Esquire, Companion of the Most Honourable Order of the Bath, Her Majesty's Minister Plenipotentiary at Paris; and

His Serene Highness the Prince of Monaco: Louis Fernand de Bonnefoy, Baron du Charmel, Envoy Extraordinary and Minister Plenipotentiary of Monaco in France;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:—

ARTICLE I.

The high contracting parties engage to deliver up to each other those persons who, being accused or convicted of a crime or offence committed in the territory of the one party, shall be found within the territory of the other party, under the circumstances and conditions stated in the present treaty.

ARTICLE II.

The crimes or offences for which the extradition is to be granted are the following:—

1. Murder, or attempt or conspiracy to murder.
2. Manslaughter.
3. Assault occasioning actual bodily harm. Malicious wounding or inflicting grievous bodily harm.
4. Counterfeiting or altering money, or uttering counterfeit or altered money.
5. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.
6. Forgery, counterfeiting, or altering, or uttering what is forged, or counterfeited, or altered.
7. Embezzlement or larceny.
8. Malicious injury to property if the offence be indictable.
9. Obtaining money, goods, or valuable securities by false pretences.
10. Receiving money, valuable security, or other property knowing the same to have been stolen, embezzled, or unlawfully obtained.
11. Crimes against bankruptcy law.
12. Fraud by a bailee, banker, agent, factor, trustee, or director or member or public officer of any company.
13. Perjury, or subornation of perjury.
14. Rape.
15. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under sixteen years of age, so far as such acts are punishable by the law of the State upon which the demand is made.