

18. Any person who is committed to prison under the 14th 15th or 16th clause of this Order may within fifteen days from the date of such committal appeal against such committal to a Judge of the Supreme Court of the Colony, and such Judge shall upon hearing such appeal either affirm the order of committal or order the appellant to be discharged from prison, in which latter case no Order shall be made for his surrender to the Foreign State from which the requisition for his surrender proceeded.

19. Every Magistrate who shall commit a fugitive criminal to prison under this Order shall forthwith report the result of his proceedings to the Governor, together with any remarks which he may deem it necessary or proper to make upon the case, and together with a copy of all depositions and documents used before him.

20. Upon receipt of a Magistrate's report of the committal of a fugitive criminal under the provisions of this Order, the Governor may, after the expiration of fifteen days from the date of committal, or after the affirmation of the order of committal by the Judge before whom the appeal of the fugitive criminal is brought, as the case may be, or after such further period as may be allowed in either case by the Governor, by warrant under his hand and seal order the fugitive criminal to be surrendered to such person, as may, in his opinion, be duly authorised to receive the fugitive criminal by the Foreign State from which the requisition for his surrender proceeded, and such fugitive criminal shall be surrendered accordingly.

Provided always, that no fugitive criminal shall be surrendered under this Order if—

(1.) The offence in respect of which his surrender is demanded is of a political character, or if it is shown to the satisfaction of the Governor that the requisition for his surrender has been made with a view to try or punish him for an offence of a political character, nor—

(2.) Unless provision is made by the law of the State from which the requisition for his surrender proceeds, or by arrangement, that he shall not, until he has been restored to Her Majesty's dominions, be detained or tried in that State for any offence committed before his surrender, other than the crime in respect of which he is surrendered.

21. It shall be lawful for the person to whom a fugitive criminal shall be so ordered to be surrendered to receive, hold in custody, and convey within the jurisdiction of the Foreign State from which the requisition for his surrender came such fugitive criminal, and if such fugitive criminal escapes out of the custody of such person it shall be lawful to retake him in the same manner as any person accused of any crime against the laws of the Colony may be retaken upon an escape from lawful custody.

22. If any fugitive criminal committed to prison under this Order shall not be surrendered and conveyed out of the Colony within two calendar months after his committal, it shall be lawful for any Judge of the Supreme Court of the Colony upon application by or on behalf of the fugitive criminal, and upon proof that notice of the application has been given to the Governor or to the Colonial Secretary, to order the fugitive criminal to be discharged out of custody, unless sufficient cause is shown to the contrary.

23. The Schedules to this Order annexed shall be taken to be part of this Order.

THE FIRST SCHEDULE.

The following list of crimes is to be construed according to the law existing in the Straits Settlements at the date of the alleged crime:—

Murder and attempt and conspiracy to murder.

Manslaughter.

Counterfeiting and altering money and uttering counterfeit or altered money.

Forgery, counterfeiting, and altering and uttering what is forged or counterfeited or altered.

Embezzlement and larceny.

Obtaining money or goods by false pretences.

Crimes by bankrupts against bankruptcy law.

Fraud by a bailee, banker, agent, factor, trustee, or director or member or public officer of any Company made criminal by any Act for the time being in force.

Rape.

Abduction.

Child stealing.

Burglary and housebreaking.

Arson.

Robbery with violence.

Threats by letter or otherwise with intent to extort.

Piracy by law of nations.

Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.

Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the Master.

Kidnapping and false imprisonment.

Perjury and subornation of perjury, whether under Common or Statute Law.

Any indictable offence under the Larceny Act, 1861, or any Act amending or substituted for the same, which is not specifically mentioned in this Schedule.

Any indictable offence under the Act of the Session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-seven, "To consolidate and amend the Statute Law of England and Ireland relating to malicious injuries to property," or any Act amending or substituted for the same, which is not specifically mentioned in this Schedule.

Any indictable offence under the Act of the Session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-eight, "To consolidate and amend the Statute Law of England and Ireland relating to indictable offences by forgery," or any Act amending or substituted for the same, which is not specifically mentioned in this Schedule.

Any indictable offence under the Act of the Session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-nine, "To consolidate and amend the Statute law of the United Kingdom against offences relating to the Coin," or any Act amending or substituted for the same, which is not specifically mentioned in this Schedule.

Any indictable offence under the Act of the Session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter one hundred, "To consolidate and amend the Statute Law of England and Ireland relating to offences against the person," or any Act amending or substituted for the same,