all Baskets or Package in which the same shall be so seized and all such Spawn, Fry, or Brood of Fish, or such other Fish as aforesaid, together with such Baskets and Package in which the same shall have been so seized as aforesaid, shall, by Order of the Justice or Justices before whom the same shall be so brought, be delivered to the Person or Persons who shall have so seized the same and shall prosecute to Conviction any such Offender; and every Offender who shall be so convicted as aforesaid of any such Offence shall besides forfeit and pay for every such Offence any Sum not exceeding Ten Pounds nor less than Five Pounds.

All the Powers, Penalties, &c. of said Acts of 1 G. 1. c. 18. and 58 G. 3. c. 43. to apply to this Act.

VIII. And be it enacted, That all the Powers and Provisions, Rules, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things, contained in the said recited Acts passed in the First Year of the Reign of His Majesty King *George* the First and in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, shall be applied and put in Practice in the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act, so far as the same are compatible and consistent with the Provisions of this Act, and except so far as the same are expressly altered or repealed by this Act.

CAP. XXXIV.

An Act for the better Apprehension of certain Offenders. [28th *July* 1843.]

'WHEREAS it is expedient to make more effectual Provision for the Apprehension and Trial of Offenders 'against the Laws who may be in other Parts of Her Majesty's 'Dominions than those in which their Offences were committed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, if any Person charged with having committed any Offence such as is herein-after mentioned against the Laws of any Part of Her Majesty's Dominions not being Part of the United Kingdom of *Great Britain* and *Ireland*, and against whom a Warrant shall have been issued for such Offence by any Person having lawful Authority to issue the same within that Part of Her Majesty's Dominions where such Offence shall have been committed, shall be in any Place within the said United Kingdom, it shall be lawful, in *Great Britain*, for One of Her Majesty's Principal Secretaries of State, and in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, to endorse his Name on such Warrant, which Warrant so endorsed shall be a sufficient Authority to the Person or Persons bringing such Warrant, and to all Persons to whom such Warrant was originally directed, and also to all

Offenders in the Colonies escaping into the United Kingdom may be there apprehended.

all Constables and other Peace Officers in that Part of the United Kingdom where the said Warrant shall be so endorsed, to execute the said Warrant, by apprehending the Person against whom such Warrant is directed, and to convey the said Person before a Justice of the Peace for the County or other Jurisdiction in which the supposed Offender shall be apprehended, or in *Scotland* either before such Justice of the Peace or before the Sheriff Depute or Substitute.

For Apprehension of Offenders escaping to the Colonies.

II. And to remedy the like Failure of Justice by the Escape of Persons charged with having committed Offences into those Parts of Her Majesty's Dominions which do not form Part of the said United Kingdom, be it enacted, That from and after the passing of this Act, if any Person charged with having committed any Offence such as is herein-after mentioned in any Part of Her Majesty's Dominions, whether or not within the said United Kingdom, and against whom a Warrant shall be issued by any Person or Persons having lawful Authority to issue the same, shall be in any other Part of Her Majesty's Dominions not forming Part of the said United Kingdom, it shall be lawful for the Chief Justice or any other Judge of Her Majesty's Superior Court of Law within that other Part of Her Majesty's Dominions where such Person shall be to endorse his Name on such Warrant, which Warrant so endorsed shall be a sufficient Authority to the Person or Persons bringing such Warrant, and also to all Persons to whom such Warrant was originally directed, and also to all Peace Officers of the Place where the Warrant shall be so endorsed, to execute the same within the Jurisdiction of the Person by whom it shall be so endorsed, by apprehending the Person against whom such Warrant is directed, and to convey him before a Magistrate or other Person having Authority to examine and commit Offenders for Trial in that Part of Her Majesty's Dominions.

Offender may be committed to Gaol until he can be sent back to the Place where the Offence was committed.

III. And be it enacted, That it shall be lawful for any Person duly authorized to examine and commit Offenders for Trial before whom any such supposed Offender shall be brought as aforesaid, upon such Evidence of Criminality as would justify his Committal if the Offence had been committed in that Part of Her Majesty's Dominions, to commit such supposed Offender to Prison, there to remain until he can be sent back, in manner herein-after mentioned, to that Part of Her Majesty's Dominions in which he is charged with having committed such Offence; and immediately upon the Committal of such Person Information thereof in Writing under the Hand of the committing Magistrate, accompanied by a Copy of the said Warrant, shall be given, in *Great Britain*, to One of Her Majesty's Principal Secretaries of State, and in *Ireland* to the Chief Secretary of the Lord Lieutenant, and in any other Part of Her Majesty's Dominions to the Governor or acting Governor.

Information of Committal to be given.

Copies of Depositions may be given in Evidence.

IV. Provided always, and be it enacted, That in every such Case Copies of the Depositions upon which the original Warrant was granted, certified under the Hand of the Person or Persons issuing such Warrant, and attested upon the Oath of

of the Party producing them to be true Copies of the original Depositions, may be received in Evidence of the Criminality of the Person so apprehended.

Offenders apprehended to be sent to the Place where the Offence was committed;

V. And be it enacted, That it shall be lawful, in *Great Britain*, for any One of Her Majesty's Principal Secretaries of State, and in *Ireland* for the Chief Secretary of the Lord Lieutenant, and in any other Part of Her Majesty's Dominions for the Governor or acting Governor, by Warrant under his Hand and Seal, to order any Person who shall have been so apprehended and committed to Gaol to be delivered into the Custody of some Person or Persons, to be named in the said Warrant, for the Purpose of being conveyed into that Part of Her Majesty's Dominions in which he is charged with having committed the Offence, and being delivered into the Custody of the proper Authorities there, to be dealt with in due Course of Law as if he had been there apprehended, and to order that the Person so committed to Gaol be so conveyed accordingly; and if the said Person, after he shall have been so apprehended, shall escape out of any Custody to which he shall have been committed as aforesaid, it shall be lawful to retake such Person in the same Manner as any Person accused of any Crime against the Laws of that Part of Her Majesty's Dominions may be retaken upon an Escape.

if not sent within Two Months after Committal, may apply to be discharged.

VI. And be it enacted, That where any Person who shall have been committed to Gaol under this Act shall not be conveyed out of that Part of Her Majesty's Dominions in which he shall have been so committed to Gaol within Two Calendar Months after such Committal, over and above the Time actually required to convey the Prisoner from the Gaol to which he was committed by the readiest Way out of that Part of Her Majesty's Dominions, it shall be lawful for any of Her Majesty's Judges in that Part of Her Majesty's Dominions in which such supposed Offender shall be in Custody, upon Application made to him or them by or on behalf of the Person so committed, and upon Proof made to him or them that reasonable Notice of the Intention to make such Application has been given to One of Her Majesty's Principal Secretaries of State in *Great Britain*, or in *Ireland* to the Chief Secretary of the Lord Lieutenant of *Ireland*, or to the Governor or acting Governor in any other Part of Her Majesty's Dominions, to order the Person so committed to be discharged out of Custody, unless sufficient Cause shall be shown to such Judge or Judges why such Discharge ought not to be ordered.

Persons apprehended if not indicted within Six Months, or if not convicted, may be sent back.

VII. And be it enacted, That in case any Person apprehended under this Act shall not be indicted for the Offence for which he shall have been so apprehended within the Period of Six Calendar Months after his Arrival in that Part of Her Majesty's Dominions in which he is charged to have committed the Offence, or if upon his Trial he shall be acquitted, it shall be lawful, in *Great Britain*, for One of Her Majesty's Principal Secretaries of State, and in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and for the Governor or acting

acting Governor in any other Part of Her Majesty's Dominions, if he shall think fit, upon the Request of the Person so apprehended, to cause such Person to be sent back, free of Cost to such Person, and with as little Delay as possible, to that Part of Her Majesty's Dominions in which he shall have been so apprehended.

Providing for Expence of Removal of Offenders to the United Kingdom.

VIII. And be it enacted, That the Court before which any Person apprehended under this Act shall be prosecuted or tried within the said United Kingdom may order, if it shall think fit, that the Expences of apprehending and removing the Prisoner from any Part of Her Majesty's Dominions not within the said United Kingdom to any Place within the said United Kingdom shall be repaid to the Person defraying the same by the Treasurer of the County or other Jurisdiction in *England* or *Ireland*, or by the Sheriff Depute or Substitute of the County in *Scotland*, in which the Offence is charged to have been committed, the Amount of such Expences being previously ascertained by an Account thereof, verified by Production of proper Vouchers before Two Justices of the Peace of such County or other Jurisdiction, which last-mentioned Justices shall examine into the Correctness of the said Account, and shall allow the same, or such Part thereof as shall to them appear just and reasonable, under their Hands and Seals; and every Treasurer, or Sheriff Depute or Substitute, who shall pay the Amount so ascertained, shall be allowed such Payment in his Accounts respecting the Business of such County or other Jurisdiction.

Proof of the Signature of the Person issuing the original Warrant.

IX. Provided always, and be it enacted, That it shall not be lawful for any Person to endorse his Name on any such Warrant, for the Purpose of authorizing the Apprehension of any Person under this Act, until it shall have been proved to him, upon Oath or by Affidavit, that the Seal or Signature upon the same is the Seal or Signature of the Person having lawful Authority to issue such Warrant whose Seal or Signature the same purports to be.

Warrant not to be endorsed, except in Cases of Treason and Felony, &c.

X. Provided also, and be it enacted, That it shall not be lawful for any Person to endorse his Name upon any such Warrant, for the Purpose of authorizing the Apprehension of any Person under this Act, unless it shall appear upon the Face of the said Warrant that the Offence which the Person for whose Apprehension the said Warrant has been issued is charged to have committed is such that, if committed within that Part of Her Majesty's Dominions where the Warrant is so endorsed, it would have amounted in Law to a Treason or some Felony, such as the Justices of the Peace in General or Quarter Sessions assembled have not Authority to try in *England*, under the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to define the Jurisdiction of Justices in General and Quarter Sessions of the Peace*, or unless the Depositions appear sufficient to warrant the Committal of such Person for Trial.

5 & 6 Vict. c. 38.

Act may be amended, &c.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.