

being fugitives from justice, should under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Sir Edward Alfred John Harris, a Vice-Admiral in Her Majesty's Royal Navy, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands;

And His Majesty the King of the Netherlands, M. Joseph Lodewyk Hendrik Alfred Baron Gericke van Herwynen, Commander of the Order of the Netherlands Lion, Knight Grand Cross of the Oaken Crown of Luxemburg, &c., &c., His Majesty's Minister for Foreign Affairs; and M. Gerrit de Vries, Commander of the Order of the Netherlands Lion, His Majesty's Minister of Justice;

Who, after 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.

It is agreed that Her Britannic Majesty and His Majesty the King of the Netherlands shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally, any persons who, being accused or convicted of any of the crimes hereinafter specified, committed within the jurisdiction of the requiring party, shall be found within the territories of the other party.

ARTICLE II.

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

1. Murder (including assassination, parricide, infanticide, and poisoning), or attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, or uttering counterfeit or altered money.
4. Forgery, counterfeiting or altering of public or private documents, including forgery, counterfeiting or altering of paper money, bank notes, or other public securities.
5. Embezzlement or larceny, comprehending any larceny that by the Netherlands Penal Law is not considered as "vol simple."
6. Obtaining money or goods by false pretences, including the crimes designated in the Netherlands Penal Law as speculation, abstraction or misapplication by bailies or public accountants.
7. Crimes against Bankruptcy Law which by the Netherlands Penal Law are considered as fraudulent bankruptcy.
8. Perjury.
9. Rape.
10. Arson.

The extradition is also to take place for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

ARTICLE III.

No subject of the Netherlands shall be given up by the Government of the Netherlands to the Government of the United Kingdom; and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of the Netherlands.

With reference to the application to the present Treaty, are comprised in the denomination of "subjects," not only naturalized citizens of the country, but also such foreigners as, according to the laws of either of the Contracting Parties, are assimilated to subjects, as well as such foreigners, who being domiciled in the country, and having married a citizen thereof, have one or more children by that marriage born there.

ARTICLE IV.

The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of the Netherlands, has already been tried and discharged or punished, or is still under trial, in the Netherlands or in the United Kingdom, respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of the Netherlands, should be under

examination for any other crime in the Netherlands or in the United Kingdom, respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

The extradition shall also be deferred if the person claimed should be detained for debt by a sentence passed before the requisition for the surrender, under the laws of the country where he shall be found.

ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or to punish him for an offence of a political character.

ARTICLE VII.

A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or has had the opportunity of returning to the country from whence he was surrendered.

The period of one month shall be considered as the limit of the period during which the prisoner may, with the view of securing the benefits of this Article, return to the country from whence he was surrendered.

This stipulation does not apply to crimes committed after the extradition.

ARTICLE VIII.

The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed in *contumaciam*.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, according to the laws of the country in which he is found.

ARTICLE X.

The extradition shall not take place before the expiration of fifteen days from the committal, and then only if the evidence produced in due time be found sufficient according to the laws of the State applied to.

ARTICLE XI.

A fugitive criminal may, however, be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed or the prisoner convicted, in that part of the dominions of the two Contracting Parties in which he exercises jurisdiction: Provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a Police Magistrate in London. He shall be discharged, as well in the United Kingdom as in the Netherlands, if, within fourteen days, a requisition shall not have been made for his surrender by the Diplomatic Agent of his country.