

## THE ANGLO-AMERICAN EXTRADITION TREATY.

*(From the Law Journal.)*

“Whereas by article 10 of the treaty concluded between the United States and Her Britannic Majesty on August 9, 1842, provision is made for the extradition of persons charged with certain crimes; and whereas it is now desired by the high contracting parties that the provisions of the said article should embrace certain crimes not therein specified, and should extend to fugitives convicted of the crimes specified in the said article and in this convention, the said high contracting parties have appointed their plenipotentiaries to conclude the convention for this purpose—namely, the President of the United States, Mr. Edward J. Phelps, Envoy Extraordinary of the United States to the Court of St. James, &c., and Her Majesty the Queen of the United Kingdom, the Right Honourable Archibald Philip, Earl of Rosebery, Her Majesty’s Principal Secretary of State for Foreign Affairs, &c., who, after having communicated to each other their respective full powers in good and due form, have agreed upon the following articles:—

“Article 1.—The provisions of article 10 of the said treaty are hereby extended to apply to and comprehend the following additional crimes not mentioned in the said article—namely, (1) manslaughter, (2) burglary, (3) embezzlement or larceny of the value of 50 dols. or £10 and upwards, (4) malicious injuries to property whereby the life of any person shall be endangered, if such injuries constitute a crime according to the laws of both the high contracting parties, and the provisions of the said article shall have the same effect with respect to the extradition of persons charged with any of the said crimes as if the same had been originally named and specified in the said article.

“Article 2.—Provisions of the 10th article of the said treaty and of this convention shall apply to persons convic-

ted of the crimes therein respectively named and specified whose sentences thereupon shall not have been executed. In the case of a fugitive criminal alleged to have been convicted of a crime for which his surrender is asked, a copy of the record of conviction and of the sentence of the Court before which such conviction took place, duly authenticated, shall be produced, together with evidence that the prisoner is the person to whom such sentence refers.

“ Article 3.—This convention shall not apply to any of the crimes herein named and specified which shall have been committed, or to any convictions which shall have been procured, prior to the date when the convention shall come into force.

“ Article 4.—No fugitive criminal shall be surrendered under the provisions of the said treaty or of this convention if the crime in respect of which his surrender is demanded be one of a political character, or if he prove to a competent authority that the said requisition for his surrender has in fact been made with a view to try or punish him for a crime of a political character.

“ Article 5.—A fugitive criminal surrendered to either of the high contracting parties under the provisions of the said treaty or of this convention shall not, until he has had an opportunity of returning to the State by which he has been surrendered, be detained or tried for any crime committed prior to his surrender other than the extradition crime proved by the facts on which his surrender was granted.

“ Article 6.—The extradition of fugitives under the provisions of the said treaty and of the present convention shall be carried out in the United States and in Her Majesty's dominions respectively subject to and in conformity with the laws regulating extradition for the time being in force in the surrendering State.

“ Article 7.—This convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible. It shall come into force ten days after publication, in conformity with the forms prescribed by the laws of the

high contracting parties, and shall continue in force until one or other of the high contracting parties shall signify a wish to terminate it, and no longer.

“ In witness whereof the undersigned have signed the same and have affixed thereunto their seals.

“ Done at London, June 25, 1886.

“ EDWARD JOHN PHELPS.

“ ROSEBERY.”