

EXTRADITION

*Treaty signed at Rio de Janeiro May 14, 1897, as amended by protocols of May 28, 1898, and May 29, 1901*¹

*Senate advice and consent to ratification, with amendments, February 28, 1899*¹

*Ratified by the President of the United States, with amendments, February 13, 1903*¹

Ratified by Brazil April 14, 1903

Ratifications exchanged at Rio de Janeiro April 18, 1903

Proclaimed by the President of the United States April 30, 1903

Entered into force May 30, 1903

*Terminated July 23, 1913*²

33 Stat. 2091; Treaty Series 423

TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL

The United States of America and the United States of Brazil, desiring to strengthen their friendly relations and to facilitate the administration of jus-

¹ The text printed here incorporates the amendments set forth in the protocols of May 28, 1898, and May 29, 1901. By the 1898 protocol the two Governments agreed to the following modifications:

ARTICLE II, No. 13: To add in the English text after "broker" the word "manager", corresponding in the Portuguese text to the term "administrador".

ARTICLE III, § 2: To substitute in the English text for the word "definite" the word "final".

ARTICLE IV: To change the wording of the first paragraph of the Portuguese text to read as follows: O indi viduo entregue não poderá ser processado nem punido no paiz que tiver obtido a extradição nem entregue a terceiro paiz por crime ou infracção não prevista no presente tratado nem por crime ou infracção anterior á extradição, etc., etc.

To substitute in the second paragraph of the English text the expression "may demand" for "shall be able to demand".

ARTICLE IX: Substitute for the wording of the English text the following: "All articles found in the possession of the person accused, whether obtained through the commission of the act with which such person is charged, or whether they may be used etc., etc."

By the 1901 protocol, Brazil accepted the amendments contained in the Senate's resolution of advice and consent and maintained in the President's ratification, which read as follows:

"In Article IV, first paragraph, after 'extradition,' in the phrase 'previous to extradition,' insert *other than the crime or offence for which he was extradited*.

"In the same article and same paragraph, after 'country,' where it occurs in the phrase 'leave the country,' insert *which has obtained the requisition*.

"In the same article and at the end of the same paragraph, after 'trial,' insert *therein*.

"In the same article, second paragraph, after 'extradition,' in the phrase 'previous to extradition' insert *other than the offence or crime for which he was extradited*."

² Pursuant to notice of termination given by Brazil Jan. 23, 1913.