

EXTRADITION

Protocol signed at Washington December 6, 1904, amending Spanish text of treaty of April 6, 1904

Senate advice and consent to ratification December 15, 1904

Ratified by Cuba January 16, 1905

Ratified by the President of the United States January 24, 1905

Ratifications exchanged at Washington January 31, 1905

Entered into force January 31, 1905

Proclaimed by the President of the United States February 8, 1905

*Article II of treaty supplemented by additional treaty of January 14, 1926*¹

33 Stat. 2273; Treaty Series 441

PROTOCOL

The undersigned, the Secretary of State of the United States of America and the Envoy Extraordinary and Minister Plenipotentiary of Cuba, being duly authorized, have agreed to modify the Spanish text of sections 1, 3, 5, 6, 7, 14 and 16 of the Article II of the Treaty of Extradition signed on the 6th of April, 1904,² by substituting them by the following, in conformity with the amendments which were adopted by the Senate of the Republic of Cuba, with a view to making the said Spanish text correspond more closely with the English text, and to a more exact definition of the crimes and offenses therein specified, in the technical terms of the Cuban law.

ARTÍCULO II

1. Homicidio, incluso los delitos designados en el Código Penal de Cuba con los nombres de asesinato, parricidio, infanticidio y envenenamiento, homicidio voluntario; el delito frustrado ó la tentativa de cualquiera de ellos.

3. Robo, entendiéndose por tal la sustracción de dinero, mercancías, documentos ú otra propieadd ajenos, empleando para ello fuerza, violencia ó intimidación; y el acto de asaltar la casa de otro de noche con escalamiento ó fractura y con la intención de cometer un delito; robo en casa habitada y robo en establecimiento comercial ó industrial.

¹ TS 737, *post*, p. 1136.

² TS 440, *ante*, p. 1129.