

EXTRADITION

Treaty signed at Washington October 28, 1896

Senate advice and consent to ratification, with amendments, January 28, 1897¹

Ratified by the Orange Free State May 26, 1898

Ratified by the President of the United States, with amendments, February 21, 1899¹

Ratifications exchanged at Washington April 20, 1899

Proclaimed by the President of the United States April 21, 1899

Entered into force May 21, 1899

Became obsolete May 28, 1900²

Treaty Series 266

ARTICLE I

The Government of the United States and the Government of the Orange Free State mutually agree to deliver up persons who, having been charged with or convicted of any of the crimes and offenses specified in the following article, committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other:

Provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial, if the crime or offense had been there committed.

¹ The U.S. amendments read as follows:

"Article 2, sub-article 6; after 'larceny', in line 27, insert *and*.

"Article 2, sub-article 6; after 'property' in line 31, insert, *stolen or*.

"Article 2, sub-article 6, line 36; strike out [stolen or], and after 'embezzled', in the same line, insert *stolen or received*.

"Article 2, sub-article 11, paragraph (a), after 'Piracy', in line 51, strike out [by Statute or].

"Strike out all of Article 5, and insert in lieu thereof, the following:

"In no case shall the nationality of the person accused be an impediment to his extradition, under the conditions stipulated by the present Treaty, but neither Government shall be bound to deliver its own citizens for extradition under this Convention; but either shall have the power to deliver them up, if, in its discretion, it be deemed proper to do so."

"Article 6, line 4; after 'or if', strike out [he proves], and insert, *it shall be made to appear*."

The text printed here is the amended text as proclaimed by the President.

² Date on which the Orange Free State was annexed to South Africa as the Orange River Colony.