

EXTRADITION

Treaty signed at Madrid June 15, 1904; protocol signed at San Sebastian August 13, 1907, amending articles III and IV
Senate advice and consent to ratification January 16, 1908
Ratified by the President of the United States February 5, 1908
Ratified by Spain March 30, 1908
Ratifications exchanged at Madrid April 6, 1908
Entered into force April 6, 1908
Proclaimed by the President of the United States May 21, 1908
*Terminated June 16, 1971 by treaty of May 29, 1970*¹

35 Stat. 1947; Treaty Series 492

TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND SPAIN

ARTICLE I

It is agreed that the Government of the United States and the Government of Spain shall, upon mutual requisition duly made as herein provided deliver up to justice any person who may be charged with, or may have been convicted of any of the crimes specified in Article II of this Convention committed within the jurisdiction of one of the Contracting Parties while said person was actually within such jurisdiction when the crime was committed, and who shall seek an asylum or shall be found within the territories of the other, provided that such surrender shall take place only 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 apprehension and commitment for trial if the crime or offence had been there committed.

ARTICLE II

Persons shall be delivered up according to the provisions of this Convention, who shall have been charged with or convicted of any of the following crimes:

1. Murder, comprehending the crimes designated by the terms of parricide, assassination, manslaughter, when voluntary; poisoning or infanticide.
2. The attempt to commit murder.

¹ 22 UST 737; TIAS 7136.