

At the Court at *Buckingham Palace*, the 10th day of *May*, 1905.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.

Lord Steward:

Earl of Kintore.

Sir H. Aubrey-Fletcher.

Sir Savile Crossley.

WHEREAS by the Extradition Acts, 1870 to 1895, it was amongst other things enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient;

And whereas a Treaty was concluded on the third day of October, one thousand nine hundred and four, between His Majesty and the President of the Republic of Cuba for the mutual extradition of fugitive criminals, which Treaty is in the terms following:—

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Excellency the President of the Republic of Cuba, having determined, by common consent, to conclude a Treaty for the extradition of criminals, have accordingly named as their Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland, Lionel E. G. Carden, Esq., Minister Resident of Great Britain in Cuba, and His Excellency the President of the Republic of Cuba, Carlos E. Ortiz y Coffigny, Secretary of State and Justice; who, after having exhibited to each other their respective full powers and found them in good order and due form, have agreed upon the following Articles:—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other, under certain circumstances and conditions stated in the present Treaty, those persons who, being accused or convicted of any of the crimes or offences enumerated in Article II, committed in the territory of the one Party, shall be found within the territory of the other Party.

ARTICLE II.

Extradition shall be reciprocally granted for the following crimes or offences:—

1. Murder, or attempt or conspiracy to murder.
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Carnal knowledge or any attempt to have carnal knowledge of a girl under the age of puberty according to the laws of the respective countries.
6. Indecent assault.
7. Kidnapping and false imprisonment, child-stealing.
8. Abduction.
9. Bigamy.
10. Maliciously wounding or inflicting grievous bodily harm.

Su Majestad el Rey del Reino Unido de la Gran Bretaña e Irlanda y de las Posesiones Británicas de Ultramar, Emperador de la India, y Su Excelencia el Presidente de la República de Cuba, habiendo resuelto por mutuo convenio, celebrar un Tratado para la extradición de criminales, han convenido en nombrar por sus Plenipotenciarios:

Su Majestad el Rey del Reino Unido de la Gran Bretaña e Irlanda, al Sr. Lionel E. G. Carden, Ministro Residente de la Gran Bretaña en Cuba, y Su Excelencia el Presidente de la República de Cuba, al Sr. Carlos E. Ortiz y. Coffigny, Secretario de Estado y Justicia; quienes después de haberse exhibido sus respectivos plenos poderes y encontrarlos en buena y debida forma, han convenido en los siguientes artículos:—

ARTICULO I.

Las Altas Partes Contratantes se obligan á entregarse mutuamente, en las circunstancias y con las condiciones estipuladas en el presente Tratado, las personas que, procesadas ó condenadas por alguno de los crímenes ó delitos enumerados en el artículo II y cometidos en el territorio de una de las Partes, sean encontradas en el territorio de la otra Parte.

ARTICULO II.

La extradición se concederá recíprocamente cuando se trate de los siguientes crímenes ó delitos:—

1. Asesinato, parricidio, infanticidio; ó la tentativa de cualquiera de estos delitos.
2. Homicidio.
3. El empleo de drogas ó instrumentos con el propósito de hacer abortar á una mujer.
4. Violación.
5. Acceso carnal ó la tentativa de acceso carnal con una menor impúber según las leyes de los respectivos países.
6. Abusos deshonestos.
7. Detención ilegal y sustracción de menores.
8. Rapto.
9. Bigamia.
10. Heridas ó golpes que ocasionen graves lesiones, unas y otros dados intencionalmente,