

Supplementary treaty between the United States and Denmark for the extradition of criminals. Signed at Washington, November 6, 1905; ratification advised by the Senate, December 7, 1905; ratified by the President, February 13, 1906; ratified by Denmark, December 14, 1905; ratifications exchanged at Washington, February 19, 1906; proclaimed, February 19, 1906.

November 6, 1905.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Supplementary Convention between the United States of America and the Kingdom of Denmark providing for the extension of the Treaty of January 6, 1902, to their respective island possessions and colonies and adding the crime of bribery to the list of extraditable crimes contained in Article II of the said Treaty of January 6, 1902, was concluded and signed by their respective Plenipotentiaries at Washington, on the sixth day of November, one thousand nine hundred and five, the original of which Supplementary Convention, being in the English and Danish languages, is word for word as follows:

Preamble.

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The United States of America and His Majesty the King of Denmark, agreeing that the convention for the extradition of criminals signed by their Plenipotentiaries at Washington on January 6, 1902, is applicable to their respective island possessions or colonies, and desiring to define the procedure by which applications for the surrender of accused persons from such island possessions or colonies shall be made, and to add to the list of extraditable crimes mentioned in Article II of the said convention of January 6, 1902, by means of an additional convention, have to that end appointed as their Plenipotentiaries:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

His Majesty the King of Denmark, Mr. Constantin Brun, Com-

Da de Amerikanske Forenede Stater og Hans Majestæt Kongen af Danmark ere enige om, at den af deres Befuldmægtigede d. 6. Januar 1902 i Washington undertegnede Konvention angaaende Udlevering af Forbrydere er anvendelig paa deres respektive Bilande og Kolonier, og endvidere ønske, i en Tillægskonvention, at fastslaa den Fremgangsmaade der vil være at benytte ved Begæringen om Udlevering af anklagede Personer fra saadanne Bilande og Kolonier, samt at gøre en Tilføjelse til den i Artikel II i nævnte Konvention af 6. Januar 1902 anførte Fortegnelse om Forbrydelser, for hvilke Udlevering kan begæres, have de til det Formaal udnævnt til deres Befuldmægtigede:

Contracting parties

Præsidenten for de amerikanske Forenede Stater, Elihu Root, de Forenede Staters Statssekretær; og

Plenipotentiaries

Hans Majestæt Kongen af Danmark, Hr. Constantin Brun, Kom-

mander of the Order of Dannebrog and decorated with the Cross of Honor of the same Order, His Majesty's Chamberlain and Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found in due and good form, have agreed upon and concluded the following articles:

ARTICLE I.

Extradition provisions extended to island possessions and colonies.
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In the case of crimes committed in the island possessions or colonies of the contracting parties, applications for the surrender of the accused may be made directly to the Governor or Chief Magistrate of the island possession or colony in which the fugitive has sought refuge, by the Governor or Chief Magistrate of the colony or island possession of the other contracting party, provided that both island possessions or colonies are situated in America. The aforesaid Governors or Chief Magistrates shall have authority either to grant the extradition or to refer the matter for decision to the Government of the mother country. In all other cases applications for extradition shall be made through the diplomatic channel.

Limitation.

Where a fugitive criminal is arrested in the Philippine Islands, the Hawaiian Islands, Faroe Islands, or Iceland he may be provisionally detained for a period of four months.

ARTICLE II.

Additional extraditable crime.
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In addition to the crimes and offenses mentioned in Article II of the convention between the United States of America and the Kingdom of Denmark for the extradition of criminals, signed at Washington on January 6, 1902, extradition shall be granted also for the following crime or offense:

Bribery.

Bribery, defined to be the offering, giving or receiving of bribes, when made punishable by the laws of the two contracting parties.

mandör af Dannebrog og Dannebrogsmænd, Hans Majestæts Kammerherre og overordentlige Gesandt og befuldmægtigede Minister i Washington;

Hvilke, efter at have meddelt hinanden deres respektive Fuldmagter, der befandt sig i rigtig og god Form, ere blevne enige om og have vedtaget følgende Artikler:

ARTIKEL I.

Naar Forbrydelser ere blevne begaaede i de kontraherende Parters Bilande og Kolonier, kunne Begæring om de Anklagedes Udlevering fremsættes direkte til Guvernören over eller den øverste Myndighed i det Biland eller den Koloni, hvor Flygtningen har søgt Tilflugt, af Guvernören over eller den øverste Myndighed i den anden kontraherende Parts Koloni eller Biland, forudsat at begge Bilande eller Kolonier ligge i Amerika.

Fornævnte Guvernörer eller øverste Myndigheder skulle være bemyndigede til enten at tilstaa Udleveringen eller at henvise Sagen til Afgørelse af Moderlandets Regering. I alle andre Tilfælde skulle Begæring om Udlevering fremsættes ad diplomatisk Vej.

Naar en flygtet Forbryder er anholdt paa Filippinerne, Hawaii Øerne, Færøerne eller Island, kan han holdes foreløbig arresteret i et Tidsrum af fire Maaneder.

ARTIKEL II.

Foruden de Forbrydelser og Lovovertrædelser, der ere opregnede i Artikel II i Konventionen mellem de amerikanske Forenede Stater og Kongeriget Danmark angaaende Udlevering af Forbrydere, undertegnet i Washington d. 6 Januar 1902, skal Udlevering tilstaaes ogsaa for følgende Forbrydelse eller Lovovertrædelse:

Bestikkelse, det vil sige den Handling at tilbyde, give eller modtage Stikpenge, naar saadant er straffbart efter de to kontraherende Parters Lovgivning.

ARTICLE III.

ARTIKEL III.

The present convention shall be considered as an integral part of the said extradition convention of January 6, 1902, and shall be ratified according to the respective laws of the two contracting parties. The ratifications shall be exchanged at Washington as soon as possible.

In testimony whereof, the respective plenipotentiaries have signed the above articles, both in the English and Danish languages and have hereunto affixed their seals.

Done in duplicate, at the City of Washington, this sixth day of November, nineteen hundred and five.

Nærværende Konvention skal betragtes som en integrerende Del af nævnte Udleveringskonvention af 6. Januar 1902 og skal ratificeres i Overensstemmelse med de to kontraherende Parters respektive Lovgivning. Ratifikationerne skulle udvexles i Washington saa snart som muligt.

Til Bekræftelse heraf have de respektive befuldmægtigede undertegnet foranstaaende Artikler baade i det engelske og i det danske Sprog samt herunder sat deres Segl.

Givet i dobbelt Udfærdigelse i Staden Washington den sjette Dag af November Nitten Hundrede og fem.

Exchange of ratifications.

Signatures.

ELIHU ROOT [L. S.]
C. BRUN [L. S.]

And whereas the said Supplementary Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the nineteenth day of February, one thousand nine hundred and six;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Supplementary Convention to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this nineteenth day of February, in the year of our Lord one thousand nine hundred and six,
[SEAL] and of the Independence of the United States of America the one hundred and thirtieth.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

Ratification.

Proclamation.