

January 14, 1926.

Additional extradition treaty between the United States and Cuba. Signed at Habana, January 14, 1926; ratification advised by the Senate, March 3, 1926; ratified by the President, March 8, 1926; ratified by Cuba, June 17, 1926; ratifications exchanged at Habana, June 18, 1926; proclaimed, June 19, 1926.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Additional extradition treaty with Cuba. Preamble.

WHEREAS an Additional Extradition Treaty between the United States of America and the Republic of Cuba was concluded and signed by their respective Plenipotentiaries at Habana on the fourteenth day of January, one thousand nine hundred and twenty-six, the original of which Additional Extradition Treaty, being in the English and Spanish languages, is word for word as follows:

ADDITIONAL EXTRADITION TREATY
BETWEEN THE UNITED STATES OF
AMERICA AND THE REPUBLIC OF
CUBA.

TRATADO ADICIONAL DE EXTRA-
DICIÓN ENTRE LOS ESTADOS UNI-
DOS DE AMÉRICA Y LA REPÚBLICA
DE CUBA.

Contracting Powers,

The United States of America and the Republic of Cuba, being desirous of enlarging the list of crimes on account of which extradition may be granted with regard to criminal acts committed in the United States of America or in the Republic of Cuba under the Treaty concluded between both nations for the extradition of fugitives from justice, signed April 6, 1904, and the Protocol amending the Spanish text of said Treaty, signed on December 6, 1904, with a view to the better administration of justice and the prevention of crime, have resolved to conclude the present Additional Treaty and have appointed for this purpose as their respective Plenipotentiaries:

Plenipotentiaries.

The President of the United States of America: Mister Enoch H. Crowder, Ambassador Extraordinary and Plenipotentiary of the United States of America in Cuba; and

The President of the Republic of Cuba: Señor Carlos Manuel de Céspedes y de Quesada, Sec-

Los Estados Unidos de América y la República de Cuba, deseosos de ampliar la lista de delitos por los cuales pueda concederse extradición por hechos delictuosos cometidos en los Estados Unidos de América o en la República de Cuba, de acuerdo con el Tratado celebrado entre ambos países para la extradición de prófugos de la justicia, firmado el 6 de Abril de 1904 y el Protocolo modificativo del texto Español de dicho Tratado, firmado el 6 de Diciembre de 1904, a fin de mejorar la administración de justicia y la prevención de la delincuencia, han resuelto celebrar el presente Tratado Adicional, designando con ese objeto por sus Plenipotenciarios respectivos:

El Presidente de los Estados Unidos América, al Señor Enoch H. Crowder, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América en Cuba; y

El Presidente de la República de Cuba al Señor Carlos Manuel de Céspedes y de Quesada,

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retary of State of the Republic of Cuba,

Who, after having communicated to each other their respective full powers, which were found to be in good and proper form, have agreed to the following articles:

ARTICLE I

Number 10 of the list of crimes contained in Article II of the Extradition Treaty concluded between the Republic of Cuba and the United States of America is increased by the addition of the crime of immoral abuses made criminal by the laws of both countries, said number being drafted to read as follows:

10. Rape; bigamy; immoral abuses when made criminal by the laws of both countries.

ARTICLE II

The following punishable acts are hereby added to the aforementioned list of crimes:

18. Abortion.

19. Seduction and corruption of minors if made criminal by the laws of both countries.

20. Crimes against bankruptcy and suspension of payment laws if made criminal by the laws of both countries.

21. Crimes against the laws for the suppression of the traffic in narcotic products.

22. Infractions of the customs laws or ordinances which may constitute crimes.

ARTICLE III

The present Treaty shall be considered as an integral part of the aforementioned Extradition Treaty signed April 6, 1904, which shall be read as if the list of crimes therein contained had originally comprised the additional crimes added to it under the numbers which appear in articles I and II of this Treaty.

Secretario de Estado de la República de Cuba,

Quienes después de haberse comunicado sus plenos poderes y haberlos encontrado en buena y debida forma, han convenido los artículos siguientes:

ARTÍCULO I

El número 10 de la lista de delitos contenida en el Artículo II del Tratado de Extradición celebrado entre la República de Cuba y los Estados Unidos de América se adiciona con el delito de abusos deshonestos, siempre que sea considerado como tal por las leyes de ambos países, quedando redactado dicho número de la manera siguiente:

10. Violación; bigamia; abusos deshonestos, siempre que sean constitutivos de delito de acuerdo con las leyes de ambos países.

ARTÍCULO II

Queda adicionada la lista de delitos antes referida, con los siguientes hechos punibles:

18. Aborto.

19. Estupro y corrupción de menores siempre que sean constitutivos de delitos de acuerdo con las leyes de ambos países.

20. Infracciones de las leyes que regulan la quiebra y la suspensión de pagos que fueren constitutivas de delito de acuerdo con las leyes de ambos países.

21. Delitos contra las leyes para la supresión del tráfico de productos narcóticos.

22. Infracciones de las leyes y ordenanzas de aduana que fueren constitutivas de delitos.

ARTÍCULO III

El presente Tratado sera considerado como parte integrante del precitado Tratado de Extradición firmado el 6 de Abril de 1904, el cual se leerá como si la lista de delitos en él contenida hubiera comprendido originariamente los delitos adicionados en los números que constan en los Artículos I y II de este Tratado.

Addition of crime of immoral abuses to paragraph: "Rape," Vol. 33, p. 2267, amended.

Rape, etc.

Additional crimes extraditable. Vol. 33, p. 2268, amended.

Abortion.

Seduction, etc.

Bankruptcy.

Narcotic traffic.

Customs laws infractions.

Considered part of former Treaty.

Vol. 33, p. 2226.

ARTICLE IV

ARTÍCULO IV

Exchange of ratifications, and effective date.

This Treaty shall be ratified by the High Contracting Parties in accordance with their respective laws, ratifications to be exchanged in the City of Havana, as soon as it may be possible and it shall take effect from the date of the exchange of ratifications and shall remain in force for a period of six months after either of the High Contracting Parties shall have given notice of a desire to terminate it to the other Party.

Este Tratado será ratificado por las Altas Partes Contratantes de acuerdo con sus leyes respectivas canjeándose las ratificaciones en la Ciudad de la Habana tan pronto como sea posible, y comenzará a regir desde la fecha del canje de ratificaciones, permaneciendo en vigor en lo adelante hasta un plazo de seis meses despues que cualquiera de las Altas Partes Contratantes haya dado aviso a la otra de su deseo de terminarlo.

Signatures.

In Witness Whereof, the Plenipotentiaries above mentioned have signed the two originals of the present Treaty and have affixed their respective seals thereto.

En fé de lo cual, los Plenipotenciarios arriba mencionados han firmado los dos originales del presente Tratado, fijándoles sus sellos respectivos.

Done in two copies of the same text and legal force in the English and Spanish languages in the City of Havana, on this fourteenth day of January, nineteen hundred and twenty-six.

Hecho en dos ejemplares de un mismo texto y fuerza legal en los idiomas Ingles y Español en la Ciudad de la Habana, a catorce de Enero de mil novecientos veinte y seis.

[SEAL]
[SEAL]

ENOCH H. CROWDER
CARLOS MANUEL DE CÉSPEDES

Ratifications exchanged.

AND WHEREAS the said Additional Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Habana on the eighteenth day of June, one thousand nine hundred and twenty-six;

Proclamation.

NOW, THEREFORE, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Additional Extradition Treaty 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 June in the year of our Lord one thousand nine hundred and twenty-six, and of the Independence of the United States of America the one hundred and fiftieth.

CALVIN COOLIDGE

By the President:
FRANK B KELLOGG
Secretary of State.