

Supplementary extradition treaty between the United States of America and Czechoslovakia. Signed at Washington, April 29, 1935; ratification advised by the Senate, June 5, 1935; ratified by the President, June 15, 1935; ratified by Czechoslovakia, August 17, 1935; ratifications exchanged at Prague, August 28, 1935; proclaimed, August 30, 1935.

April 29, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Supplementary Extradition Treaty between the United States of America and the Czechoslovak Republic was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-ninth day of April, one thousand nine hundred and thirty-five, the original of which Supplementary Extradition Treaty, being in the English and Czech languages is word for word as follows:

Supplementary Extradition Treaty with Czechoslovakia.

The United States of America and the Czechoslovak Republic, being desirous of enlarging the list of crimes and offenses on account of which extradition may be granted under the treaty concluded between the two countries on July 2, 1925, and of amending Article IV of that treaty, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a supplementary treaty for this purpose and have appointed as their plenipotentiaries, to wit:

Spojené Státy Americké a republika Československá přejíce si rozšířiti seznam zločinů a přečinů, pro které může býti povoleno vydání podle smlouvy sjednané mezi oběma státy dne 2. července 1925, a opraviti článek IV. této smlouvy se zřetelem na dokonalejší konání spravedlnosti a zabránění zločinům na jejích území a v jejích pravomoci, rozhodly se, že sjednají k tomu účelu dodatkovou smlouvu a jmenovaly plnomocníky, totiž:

Contracting Powers.

Vol. 44, p. 2367.

Plenipotentiaries.

The President of the United States of America:

Mr. Cordell Hull, Secretary of State of the United States of America;

The President of the Czechoslovak Republic:

Dr. Ferdinand Veverka, Envoy Extraordinary and Minister Plenipotentiary of the Czechoslovak Republic in Washington,

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

President Spojených Států Amerických:

Pana Cordella Hulla, státního sekretáře Spojených Států Amerických,

President republiky Československé:

Pana Dra Ferdinanda Veverku, mimořádného vyslance a zplnomocněného ministra republiky Československé ve Washingtoně,

kteří sdělivše si navzájem své plné moci a shledavše je v řádné a náležitě formě, shodli se mezi sebou a ujednali tyto články:

ARTICLE I

Addition to extraditable crimes.
Vol. 44, pp. 2368-2371.

The following crimes and offenses are added to the list numbered 1 to 22 in Article II of the said treaty of July 2, 1925, on account of which extradition may be granted, that is to say:

23. Crimes and offenses against the laws of bankruptcy.

Offenses against bankruptcy laws.

ARTICLE II

Considered part of former treaty.

The present treaty shall be considered as an integral part of the said extradition treaty of July 2, 1925, and Article II of the last mentioned treaty shall be read as if the list of crimes and offenses therein contained had originally comprised the additional crimes and offenses specified and numbered 23 in the first article of the present treaty.

Vol. 44, p. 2371.

ARTICLE III

Limitations modified.

Article IV of the said treaty of July 2, 1925, is hereby amended by adding thereto the following words, "or be extradited to another country, unless he shall have been allowed one month to leave the country after having been set at liberty as a result of the disposition of the charges upon which he was extradited", so that the article will now read:

"No person shall be tried for any crime or offense committed before his extradition other than that for which he was surrendered, or be extradited to another country, unless he shall have been allowed one month to leave the country after having been set at liberty as a result of the disposition of the charges upon which he was extradited."

ARTICLE IV

Exchange of ratifications.

The present treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional method, and shall take effect on the date of the exchange of ratifications which shall take place at Prague as soon as possible.

ČLÁNEK I.

V seznamu trestných činů vypočtených pod čís. 1-22 v článku II. řečené smlouvy z 2. července 1925, pro něž může býti vydání povoleno, se připojují tyto trestné činy:

23. Zločiny a přečiny proti zákonům o podvodném úpadku.

ČLÁNEK II.

Tato smlouva se považuje za nedílnou část řečené smlouvy o vydávání z 2. července 1925 a článek II. posléz zmíněné smlouvy zní tak, jako by seznam zločinů a přečinů v něm obsažených již původně obsahoval zločiny a přečiny dodatečně uvedené a označené v článku I. této smlouvy jako číslo 23.

ČLÁNEK III.

Článek IV. zmíněné smlouvy z 2. července 1925 se tímto opravuje a připojí se k němu tato slova: "nebo býti vydána jinému státu, leč by měla volnost opustiti během jednoho měsíce území poté, když byla propuštěna na svobodu v důsledku opatření pro trestné činy, pro které byla vydána." Tento článek bude tedy zníti:

"Žádná osoba nesmí býti souzena nebo vydána jinému státu pro jakýkoliv zločin nebo přečin před tím spáchaný, než pro který bylo povoleno její vydání, leč by měla volnost opustiti území během jednoho měsíce poté, když byla propuštěna na svobodu v důsledku opatření pro trestné činy, pro které byla vydána."

ČLÁNEK IV.

Tato smlouva bude ratifikována Vysokými Smluvními Stranami podle jejich ústavních předpisů a nabude účinnosti dnem výměny ratifikačních listin, k níž dojde v Praze pokud možno nejdříve.

In witness whereof the above named plenipotentiaries have signed the present treaty in both the English and Czechoslovak languages, each of which texts is equally authentic, and have hereunto affixed their seals.

Čemuž na svědomí výše jmenovaní zmocněnci podepsali tuto smlouvu ve znění anglickém a československém, jejichž obojí text jest stejně autentickým a připojili k ní své pečeti.

Signatures.

Done, in duplicate, at Washington, this 29th day of April, 1935.

Dáno ve dvojím vyhotovení ve Washingtoně, dne 29. dubna, 1935.

CORDELL HULL
FERDINAND VEVERKA

[SEAL]
[SEAL]

AND WHEREAS the said Supplementary Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Prague, on the twenty-eighth day of August, one thousand nine hundred and thirty-five;

Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary 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 of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of August, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

The Secretary of State (Hull) to the Polish Charge d'Affaires at Warsaw (Sokolowski)

DEPARTMENT OF STATE
Washington, August 23, 1935

The receipt is acknowledged, on behalf of the Government of the United States of America of your note of August 23, 1935, reading in translation as follows:
"Under instructions from my Government, I have the honor to communicate to your Excellency the following: