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44:1 April 1893.



FOREIGN OFFICE,

March 30th 1893.

File 1357.

Monsieur le Ministre:-

I have had under my consideration the Note which you were good enough to address to me on the 21st of November last forwarding the draft of an Extradition Treaty which the Netherlands Government proposed to negotiate with Her Majesty's Government with the view to substitute an amended Treaty for the stipulations at present in force between the two countries.

An examination of the existing Treaty has led to the conclusion that its stipulations are incomplete, and are in many respects susceptible of improvement:- and I have therefore much pleasure in accepting the proposal to replace it by an instrument of a more thoroughly satisfactory character.

In considering the Draft which you have proposed as a basis of negotiation, considerable difficulty has been experienced in reconciling its general arrangement and dispositions with the minute and precise stipulations of the English law of Extradition: and I have therefore found myself under the necessity of preparing a Counter Draft, which, whilst in accordance with the English law, will I trust be found of such a nature as to be readily

brought

Count de Bylandt

&c., &c., &c.

brought into harmony with the law now existing in the Netherlands.

I beg leave to enclose six printed copies of the British Counter Draft, and I take this opportunity of calling attention to the following points:-

Article II. The list of crimes is in conformity with the existing English law, but the last paragraph of this Article further permits a wider latitude - and would comprise any other crimes which are now, or may hereafter be, made extradition crimes by the laws of both countries.

Article III. Her Majesty's Government would prefer the first form in which this Article is given in the Draft - but if the Netherlands Government are unable to accept the first form, the second form could perhaps be adopted.

Articles IV to XI are believed to be in accordance with the law in the Netherlands: and the text of Article XII has been left blank to be inserted in conformity with the existing arrangements and practice in the Netherlands.

Article XIII. The last sentence has been inserted to meet an imperative stipulation of the English law. It has been drawn in an unilateral form, but, if preferred, could be made applicable to both States.

Article XV. It is probable that some modification of the period of three months will be necessary in view of the provisions of Article X of the Netherlands law of April 6th 1875 - and if such be
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the case, I should be glad to receive any suggestions for its amendment.

Article XVIII contains the necessary stipulations in regard to the British Colonies, whilst

Article XIX has been left blank, to be inserted in accordance with the requirements of the Dutch Colonies.

I shall be glad if you will submit the British Counter Draft with these explanations to the appreciation of your Government; and I trust that it will form a basis upon which a new and mutually satisfactory Treaty may speedily be concluded.

I have the honour to be
with the highest consideration,

Monsieur le Ministre,
Your most obedient,
humble Servant,

