

Abschrift.

ad N^o 522. (^{1897.})
Foreign Office.

Jan. 8th 1897.

Sir,

With reference to Your
Note of the 18th last on the subject of the
Treaty of Extradition now under nego-
tiation between Great Britain and the
Netherlands, I have the honour to
inform You that the Chief Magistrate
of the Metropolitan Police Courts, who
has again been consulted on this sub-
ject, has expressed a fear that the wording
of Article XVI is open to some ambiguity
which it is desirable should be removed.

By Article XIV of the existing
Treaty the matter of expense is provided
for, so far as concerns all expenses until
the accused is placed on board ship. By

Baron van Goltstein

the

etc. etc. etc.

the new Article XVI it is provided that the expense of embarkation shall be borne by the demanding State. It does not clearly appear what the words, "expenses of embarkation" precisely mean, as all expenses in an extradition case until the accused is placed on board ship are usually paid by the surrendering State.

In Article XVI the words, "as well as those resulting from the conveyance or return of convict witnesses" seem also, open to objection.

It is not quite evident to what they refer, but it is assumed that they relate to the evidence which may be given in this country under a "Commission Rogatoire" from the Netherlands.

"Commissions Rogatoires" do not, however

run

run from this country to the Netherlands and it would seem right that the expenses connected with these Commissions should be defrayed, as they usually are, by the State issuing them. The matter, therefore does not, apparently, call for mention in the Treaty.

Her Majesty's Government accordingly propose to insert at the end of the first paragraph of Article XVI, the words used in Article XIV of the present Treaty, "they reciprocally agree to pay such expenses themselves".

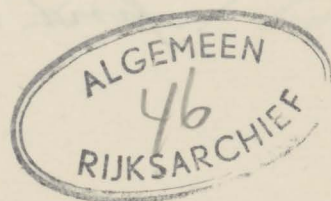
The whole article would then run in the form inclosed, and Her Majesty's Government would be glad if the Netherlands Government should find themselves able to accept it in that form.

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I regret that the slight changes
which are suggested in this Note should
cause some delay in bringing these nego-
tiations to a conclusion.

I have the honour to be
etc. etc.

(was get.) Salisbury





High Contracting Parties

THE ~~respective Governments~~ mutually renounce all claim for the repayment of expenses incurred by them in the arrest and maintenance and transport of the person to be surrendered, and all other expenses which may be incurred within the limits of their respective territories, until the person to be surrendered is placed on board ship, together with the expenses of giving up and returning all seized articles, and of sending and returning the papers containing proof of the crime or other documents, and they reciprocally agree to bear all such expenses themselves.

The above stipulations, however, shall not apply to extradition to and from Canada, as regards which Colony all the expenses shall be borne by the demanding State.

The person to be extradited shall be sent to the port which the Diplomatic or Consular Agent of the demanding State shall indicate.