

Afschrift (Originaal
doorgesonden)

Foreign Office, Feb. 11. 1898

Exh - 18 -

Sir,

In my note of the 25th of June last, I informed you that, as soon as I should have received the concurrence of the Law Officers of the Crown in the terms of the proposed Treaty of Extradition which had been accepted by the Netherlands' Government, I should have the honour to propose to you a date for the signature of that instrument.

Since that time I have been in communication with the Legal advisers of H. M. Government, and with the Departments concerned with the result that, before proceeding to signature, I desire to invite the favourable consideration of Your Government to certain additional provisions which H. M. Government are very desirous of seeing incorporated in the Treaty and which relate to the use of explosives for felonious purposes.

The provisions to which I refer, are embodied in Paragraphs (a) (b) and (c) of the fourth clause of Art. II as well as in the Protocol which appears at the end of the printed draft, herewith enclosed.

Baron de Goltstein

The

+ to to

Zie 1094
(van 1897)

The offences specified in these additions to Art II already constitute "Extradition Crimes" in contemplation of English Law. Those mentioned in (a) are provided for in the "offences against the person Act" of 1861 and those in (b) and (c) in the "Malicious Injuries to Property Act" 1861. Inasmuch as both these Statutes are scheduled to the Extradition Acts no fresh legislation is necessary in this country in respect of the offences mentioned in them.

In addition to the above H. M. Government think it very desirable that a clause should be added to the Treaty, which should deal with offences against the "Explosive Act 1883" an enactment which is not, as yet, included in those scheduled to the Extradition Acts. With this object in view a Protocol has been added at the end of the Draft, under which the High Contracting Parties would mutually undertake, as soon as their respective Legislatures empower them to do so, to enter into a further Agreement to add to the list of crimes for which Extradition is to be granted, the offences therein specified.

The

The Protocol deals in the first instance, with such offences, committed within the Dominions of the Country demanding extradition. For this purpose all that is wanted is to add these offences to the List of Extradition crimes.

In the second place, the proposed clause provided for the surrender of subjects of the Contracting Parties who, out of the Dominions of their own Country, either in the Dominions of the other Contracting Party, or in any third Country, commit any of the offences mentioned in Section 3 of the Explosives Act.

I apprehend that the proposal which H. M. Government desire to embody in the Protocol may require legislation in the Netherlands to make the acts in question crimes, as well as to make them subjects for extradition. In this Country legislation would be required for the latter purpose only.

Should the H. M. Government be disposed to accept these amendments and supply the corresponding Dutch text, I shall be prepared to sign the Treaty with you without further delay.

I may add that although the subject is not strictly relevant to that of extradition, H. M.

Government would be glad to come to
some friendly understanding with the
Neth Government, in order that each Government
should endeavour to procure the enactment
in the two Countries of Statutes which
would make it a crime in the United
Kingdom to conspire there to cause an
explosion in Holland and a crime in
Holland to conspire there to cause an
explosion in the United Kingdom.

I have etc

[W. S. / Salisbury