

ARTICLE IV.

The present treaty shall apply to crimes and offences committed prior to the signature of the treaty; but a person surrendered shall not be tried for any crime or offence committed in the other country before the extradition, other than the crime for which his surrender has been granted.

ARTICLE V.

No accused or convicted person shall be surrendered, if the offence in respect of which his surrender is demanded shall be deemed by the party upon which it is made to be a political offence, or to be an act connected with (*connexe à*) such an offence, or if he prove to the satisfaction of the Police Magistrate or of the Court before which he is brought on *habeas corpus*, or of the Secretary of State, that the requisition for his surrender has, in fact, been made with a view to try or to punish him for an offence of a political character.

ARTICLE VI.

On the part of the French Government, the extradition shall take place in the following manner in France:—

The Ambassador or other diplomatic agent of Her Britannic Majesty in France shall send to the Minister for Foreign Affairs, in support of each demand for extradition, an authenticated and duly-legalized copy either of a certificate of conviction or of a warrant of arrest against a person accused, clearly setting forth the nature of the crime or offence on account of which the fugitive is being proceeded against. The judicial document thus produced shall be accompanied by the description of the person claimed, and by any other information which may serve to identify him.

These documents shall be communicated by the Minister for Foreign Affairs to the Keeper of the Seals, Minister of Justice, who, after examining the claim for surrender, and the documents in support thereof, shall report thereon immediately to the President of the Republic; and, if there is reason for it, a decree of the President will grant the extradition of the person claimed, and will order him to be arrested and delivered to the British authorities.

In consequence of this decree, the Minister of the Interior shall give orders that search be made for the fugitive criminal, and, in case of his arrest, that he be conducted to the French frontier, to be delivered to the person authorized by Her Britannic Majesty's Government to receive him.

Should it so happen that the documents furnished by the British Government with the view of establishing the identity of the fugitive criminal, and that the particulars collected by the agents of the French police with the same view, be considered insufficient, notice shall be immediately given to the Ambassador or other diplomatic agent of Her Britannic Majesty in France, and the fugitive person, if he has been arrested, shall remain in custody until the British Government has been able to furnish further evidence in order to establish his identity or to throw light on other difficulties in the examination.

ARTICLE VII.

In the dominions of Her Britannic Majesty, other than the colonies or foreign possessions of Her Majesty, the manner of proceeding shall be as follows:—

(A.) In the case of a person accused: The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Ambassador or other diplomatic agent of the President of the French Republic, accompanied by a warrant of arrest or other equivalent judicial document, issued by a Judge or Magistrate duly authorized to take cognizance of the acts charged against the accused in France, together with duly-authenticated depositions or statements taken on oath before such Judge or Magistrate, clearly setting forth the said acts, and containing a description of the person claimed, and any particulars which may serve to identify him. The said Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some Police Magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive.

On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the Magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the fugitive shall have been apprehended, he shall be brought before the Police Magistrate who issued the warrant, or some other Police Magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner if the crime of which he is accused had been committed in England, the Police Magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender; sending immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than fifteen days, the Secretary of State shall, by order under his hand and seal, order the fugitive