

## ARTICLE 8.

The requisition for extradition shall be made through the diplomatic agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime or offence had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A sentence passed *in contumaciam* is not to be deemed a conviction, but a person so sentenced may be dealt with as an accused person.

## ARTICLE 9.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

## ARTICLE 10.

A criminal fugitive may be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority in either State, on such information or complaint and such evidence, or after such proceedings, as would, in the opinion of the authority issuing the warrant, justify the issue of a warrant if the crime or offence had been committed or the person convicted in that part of the dominions of the two High Contracting Parties in which the Magistrate, Justice of the Peace, or other competent authority, exercises jurisdiction. He shall, in accordance with this article, be discharged if within the term of thirty days a requisition for extradition shall not have been made by the diplomatic agent of the State claiming his extradition in accordance with the stipulations of this treaty. The same rule shall apply to the cases of persons accused or convicted of any of the crimes or offences specified in this treaty, and committed on the high seas on board any vessel of either State which may come into a port of the other.

## ARTICLE 11.

The extradition shall take place only if the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime or offence had been committed in the territory of the same State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition, and that the crime or offence of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the State applied to; and no criminal shall be surrendered until after the expiration of fifteen days from the date of his committal to prison to await the warrant for his surrender.

## ARTICLE 12.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as valid evidence the sworn depositions of the affirmations of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, or copies thereof, and certificates of, or judicial documents stating the fact of a conviction, provided the same are authenticated as follows:—

1. A warrant, or copy thereof, must purport to be signed by a Judge, Magistrate, or officer of the other State, or purport to be certified under the hand of a Judge, Magistrate, or officer of the other State to be a true copy thereof, as the case may require.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a Judge, Magistrate, or officer of the other State, to be the original depositions or affirmations, or to be true copies thereof, as the case may require.

3. A certificate of, or judicial document stating the fact of a conviction must purport to be certified by a Judge, Magistrate, or officer of the other State.

In every case such warrant, deposition, affirmation, copy, certificate, or judicial document must be authenticated, either by the oath of some witnesses, or by being sealed with the official seal of the Minister of Justice, or some other Minister of the other State, or by any other mode of authentication for the time being permitted by the law of the State to which the application for extradition is made.

## ARTICLE 13.

If the individual claimed by one of the High Contracting Parties in pursuance of the present convention should be also claimed by one or several other Powers on account of other

crimes or offences committed within their respective jurisdictions, his extradition shall be granted to the State whose claim is earliest in date, unless such claim is waived.

## ARTICLE 14.

If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, or within such further time as the State applied to, or the proper tribunal thereof, shall direct, the fugitive shall be set at liberty.

## ARTICLE 15.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension, and any articles that may serve as a proof of the crime or offence shall be given up when the extradition takes place, in so far as this may be permitted by the law of the State granting the extradition.

## ARTICLE 16.

Each of the High Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons whom it may have consented to surrender in pursuance of the present convention.

## ARTICLE 17.

The stipulations of the present convention shall be applicable, so far as the laws permit, to all His Britannic Majesty's Dominions, except the self-governing Dominions hereinafter named—that is to say, the Dominion of Canada, the Commonwealth of Australia (including for this purpose Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland, and India, provided always that the said stipulations shall be applicable to any of the above-named Dominions or India in respect of which notice to that effect shall have been given on behalf of the Government of such Dominion or India by His Britannic Majesty's Representative at Tallin (Reval), and provided also that it shall be competent for either of the High Contracting Parties to terminate separately the application of this convention to any of the above-named Dominions or India by a notice to that effect not exceeding one year and not less than six months.

## ARTICLE 18.

The requisition for the surrender of a fugitive criminal, who has taken refuge in any of His Britannic Majesty's self-governing dominions, colonies, or possessions to which this convention applies shall be made to the Governor-General, Governor, or chief authority, of such self-governing dominion, colony, or possession by the appropriate consular office of the Estonian Republic.

Such requisition may be dealt with, subject always, as nearly as may be, and so far as the law of such self-governing dominion, colony, or possession will allow, to the provisions of this convention by the competent authorities of such self-governing dominion, colony or possession, provided nevertheless, that if an order for the committal of the fugitive criminal to prison to await surrender shall be made, the said Governor-General, Governor, or chief authority, may, instead of issuing a warrant for the surrender of such fugitive criminal, refer the matter to His Britannic Majesty's Government.

Requisitions for the surrender of a fugitive criminal emanating from any self-governing dominion, colony, or possession of His Britannic Majesty shall be governed, as far as possible, by the rules laid down in the preceding articles of the present convention.

## ARTICLE 19.

It is understood that the stipulations of the two preceding articles apply in the same manner as if they were possessions of His Britannic Majesty to the following British Protectorates—that is to say, the Bechuanaland Protectorate, Gambia Protectorate, Kenya Protectorate, Nigeria Protectorate, Northern Rhodesia, Northern Territories of the Gold Coast, Nyassaland, Sierra Leone Protectorate, Solomon Islands Protectorate, Somaliland Protectorate, Swaziland, Uganda Protectorate, and Zanzibar.

It is also understood that if, after the signature of the present convention, it is considered advisable to extend its provisions to any British protectorates other than those mentioned above, or to any British protected State, or to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, including the territories in respect of which mandates are being exercised on behalf of His Britannic Majesty by the Government of the Commonwealth of Australia, the Government of the Dominion of New Zealand, and the Government of the Union of South Africa, the stipulations of the two