

ARTICLE XVII.

The present Treaty shall come into force ten days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for six months after notice has been given for its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at Berne, in four weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Berne, the thirty-first day of March, in the year of our Lord one thousand eight hundred and seventy-four.

(L.S.) A. G. G. BONAR.
(L.S.) J. M. KNÜSEL.

And whereas a Protocol amending Article XVI. of the aforesaid Treaty was signed by the Plenipotentiaries of Her Majesty and of the Swiss Confederation on the twenty-eighth day of November, one thousand eight hundred and seventy-four, which Protocol is in the following terms:—

The undersigned Plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Federal Council of the Swiss Confederation, having met in Conference, have taken into their consideration the following subject:—

They have directed their attention to the fact that the second paragraph of the sixteenth Article of the Treaty, which stipulates that the requisition for the arrest of a fugitive criminal who has taken refuge in any of the colonies or foreign possessions of Her Britannic Majesty shall be made through the Swiss Consul-General in London to the Secretary of State for Foreign Affairs, was not in accordance with the law of England, and they have consequently resolved to declare that the second paragraph of that Article, beginning,—

“The requisition for the arrest,” and concluding with “and the laws of the land,” shall be null and void, and in lieu thereof the following words shall be substituted:—

“The requisition for the surrender of a fugitive criminal who has taken refuge in any of such colonies or foreign possessions shall be made to the Governor or to the supreme authority of such colony or possession through the Swiss Consul, or, in case there should be no Swiss Consul, through the Consular Agent of another State charged for the occasion with the Swiss interests in the colony or possession in question.

“The Governor or supreme authority above mentioned shall decide with regard to such requisition as nearly as possible in accordance with the provisions of the present Treaty. He will, however, be at liberty either to consent to the extradition or report the case to his Government.”

The other provisions of Article XVI. remain in force as they have been agreed upon in the Treaty.

This Protocol shall be regarded and acted upon as forming part of the Treaty in question.

In witness whereof the undersigned have signed this Protocol, and have hereunto affixed their seals.

Done in duplicate at Berne, the twenty-eighth day of November, in the year of grace one thousand eight hundred and seventy-four.

The Plenipotentiary of Great Britain,

(L.S.) EDWIN CORBETT.

And whereas the ratifications of the said Treaty and Protocol were exchanged at Berne on the thirty-first day of December, one thousand eight hundred and seventy-four:

And whereas under and by virtue of the powers in and by the seventeenth Article of the said Treaty reserved and contained, the Swiss Confederation did on the twenty-second day of December, one thousand eight hundred and seventy-seven, give notice to Her Majesty's Government of the termination of the said Treaty, subject to the provisions in the said article contained that the same should remain in force for six months after notice should be given for its termination:

And whereas on the nineteenth day of June, one thousand eight hundred and seventy-eight, a Convention was entered into between Great Britain and Switzerland in the following terms:—

The Swiss Federal Council having, by a note of the 22nd December, 1877, denounced the Extradition Treaty of the 31st March, 1874, which exists between the United Kingdom of Great Britain and Ireland and the Swiss Confederation, and a new Extradition Treaty not having as yet been concluded, the High Contracting Parties, being desirous of prolonging the duration of the Treaty now in force, have named as their Plenipotentiaries for this purpose:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Horace Rumbold, Baronet, Her Majesty's Minister Resident to the Swiss Confederation; and

The Federal Council of the Swiss Confederation M. le Conseiller Fédéral Fridolin Anderwert, Chief of the Federal Department of Justice and Police;

Who, after having communicated to each other their full powers, found in good and due form, have concluded the following Convention:—

The duration of the Treaty of the 31st March, 1874, between the United Kingdom of Great Britain and Ireland and the Swiss Confederation is prolonged for six months, to date from the 22nd June, 1878.