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*Extradition Treaty with Emperor of Brazil.*

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When it relates to a person accused only, it must be accompanied by the warrant of arrest, issued by the competent authority of the State applying for it, and by such evidence as according to the laws of the place where the accused is found, would justify the arrest if the crime was there committed.

If the extradition refers to a person already convicted, the application must be accompanied by a copy of the sentence of condemnation passed against him, given by a competent Tribunal of the State making the requisition.

The requisition cannot, however, be founded on a sentence passed *in contumaciam*, that is to say, when the delinquent has not been personally cited to defend himself.

ARTICLE X.

If the requisition has been in conformity with the foregoing stipulations, the competent authorities of the State to which it has been addressed shall proceed to the capture of the refugee. The prisoner shall be brought before a competent authority, who is to examine him, and conduct the preliminary investigations of the case just as if the apprehension had taken place for crime committed in the same country.

ARTICLE XI.

The extradition shall in no case take place before the expiration of fifteen days, counted from the apprehension, and after that delay it shall only be carried out when the evidence has been found sufficient, according to the laws of the country applied to, either for subjecting the prisoner to trial, if the crime had been there committed, or to prove the identity of the person convicted and condemned by the Tribunals of the State making the requisition.

ARTICLE XII.

In the examinations which are to be made in conformity with the foregoing stipulations, the authorities of the State to which application is made, shall admit as valid evidence the sworn depositions or declarations of witnesses, which were taken in the other State, or the respective copies thereof as well as the judicial documents, warrants, or sentences, transmitted therefrom, provided they are signed or certified by the hand of the judge, magistrate, or public officer of that State, and authenticated, either by the oath of some witness, or by the official seal of the Minister of Justice or some other Minister of State.

ARTICLE