

ARTICLE IV

An accused person shall not be surrendered if the crime or offence for which his surrender is requested is one of a political character, or if he proves that the requisition for his surrender has, in fact, been made with a view to try to punish him for a crime or offence of a political character, provided that in no case shall murder, assassination or poisoning, either consummated or attempted, be deemed a crime or offence of a political character.

ARTICLE V

An accused person shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause according to the laws of the requesting country, he is exempt from prosecution or punishment for the crime or offence for which the surrender is asked.

ARTICLE VI

Extradition shall not take place if the person claimed has already been tried and discharged or punished, or is being punished, or is still under trial in the territories of the requested country, for the crime or offence for which his extradition is requested.

If the accused person be actually under prosecution, out on bail or in custody, for a crime or offence committed in the requested country, or shall have been convicted thereof, his extradition may be deferred until such proceedings be ended, and until he shall have been set at liberty in due course of law.

ARTICLE VII

No person shall be tried for any crime or offence committed prior to his extradition, other than that for which he was surrendered, unless for one month after trial, or in case of conviction, for one month after having suffered his punishment, or having been pardoned, he has been at liberty to leave the country.

ARTICLE VIII

The arrest and extradition of persons under the provisions of this treaty shall be carried out in Canada and in the United States of America, respectively, in conformity with the laws regulating extradition for the time being in force in the requested country.

Pertinent statutes of the requesting country shall be regarded as sufficiently proved for the purposes of extradition if they are certified by a principal law officer of such country or a sub-division thereof.

Requisition for the surrender of accused persons shall be made by the diplomatic agent of the requesting country. In the event of the absence of such agent from the country, requisition may be made by a consular officer.

ARTICLE IX

Extradition shall take place if the evidence be found sufficient to justify committal for trial for a crime or offence against the laws of the requesting country. In determining the sufficiency of such evidence, the courts of the requested country may apply the laws of the requested country with regard to the sufficiency of evidence to justify committal for trial in criminal causes. It shall not be essential to produce evidence sufficient to convict the accused person