

# TREATY AND PROTOCOL FOR THE EXTRADITION OF CRIMINALS BETWEEN CANADA AND THE UNITED STATES OF AMERICA\*

Treaty signed at Washington, April 29, 1942

Protocol signed at Ottawa, October 3, 1945

## TREATY

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of Canada; and

The President of the United States of America,

Desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the two countries and have named for that purpose as their respective plenipotentiaries:

His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, for Canada:

Mr. Leighton McCarthy, K.C., Envoy Extraordinary and Minister Plenipotentiary of Canada at Washington; and

The President of the United States of America:

Mr. Cordell Hull, Secretary of State of the United States of America;

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:

## ARTICLE I

The high contracting parties engage to deliver up to each other, under the circumstances and conditions stated in the present treaty, those persons who, being accused or convicted of any of the crimes or offences enumerated in article III, committed within the territory of the one party, shall be found within the territory of the other party.

## ARTICLE II

For the purposes of the present treaty:

- (a) the territory of Canada shall be deemed to be all territory wherever situated under its exclusive administration and control;
- (b) the territory of the United States of America shall be deemed to be all territory wherever situated belonging to the United States of America including its dependencies and all other territories under its exclusive administration or control;

\*For the extradition arrangements previously in effect, see the Conventions concluded between His Britannic Majesty and the United States on the 9th August, 1842 (*Treaties and Agreements Affecting Canada in force between His Majesty and the United States of America*, 1814-1925, Ottawa, 1927, page 18), the 12th July, 1889 (*ibid.*, p. 73), the 13th December, 1900 (*ibid.*, p. 140), the 12th April, 1905 (*ibid.*, p. 163), the 15th May, 1922 (*ibid.*, p. 504), and the 8th January, 1925 (*ibid.*, p. 514).