

N° 3708.

ÉTATS-UNIS D'AMÉRIQUE
ET SAINT-MARIN

Convention additionnelle à la Convention d'extradition du 10 janvier 1906 entre les deux pays. Signée à Washington, le 10 octobre 1934.

UNITED STATES OF AMERICA
AND SAN MARINO

Supplementary Convention to the Extradition Convention of January 10th, 1906, between the Two Countries. Signed at Washington, October 10th, 1934.

No. 3708. — SUPPLEMENTARY CONVENTION¹ TO THE EXTRADITION CONVENTION OF JANUARY 10TH, 1906, BETWEEN THE UNITED STATES OF AMERICA AND SAN MARINO. SIGNED AT WASHINGTON, OCTOBER 10TH, 1934.

English and Italian official texts communicated by the Chargé d'Affaires a. i. of the United States of America at Berne. The registration of this Supplementary Convention took place August 9th, 1935.

THE UNITED STATES OF AMERICA and THE REPUBLIC OF SAN MARINO, being desirous of enlarging the list of crimes on account of which extradition may be granted under the Convention² concluded between the United States of America and San Marino on January 10th, 1906, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a Supplementary Convention for this purpose and have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Cordell HULL, Secretary of State of the United States of America ; and

THE CAPTAINS-REGENT OF THE REPUBLIC OF SAN MARINO :

J. Robert HEWITT, Consul General of the Republic of San Marino in the city of New York ; and

Count Alfonso FACCHETTI GUIGLIA, Counselor of the Republic of San Marino ;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :

Article I.

The following crimes are added to the list of crimes numbered 1 to 14 in Article II of the said Convention of January 10th, 1906, on account of which extradition may be granted, that is to say :

15. Crimes and offenses against the laws for fraudulent bankruptcy and those of fraud or breach of guaranty by a banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation or by any person having a legal fiduciary position.

¹ The exchange of ratifications took place at Washington, June 28th, 1935.

² *American Journal of International Law*, Supp. Vol. 2, page 343.

TEXTE ITALIEN. — ITALIAN TEXT.

N° 3708. — CONVENZIONE ¹ SUPPLEMENTARE ALLA CONVENZIONE DI ESTRADIZIONE DEL 10 GENNAIO 1906 FRA GLI STATI UNITI D'AMERICA E SAN MARINO. FIRMATA A WASHINGTON, IL 10 OTTOBRE, 1934.

Textes officiels anglais et italien communiqués par le chargé d'Affaires a. i. des Etats-Unis d'Amérique à Berne. L'enregistrement de cette convention additionnelle a eu lieu le 9 août 1935.

GLI STATI UNITI D'AMERICA e LA REPUBBLICA DI SAN MARINO, desiderando di ampliare la lista dei reati a causa dei quali può essere accordata l'estradizione in base alla convenzione² conclusa fra gli Stati Uniti d'America e San Marino il 10 Gennaio 1906, allo scopo di una migliore amministrazione della giustizia e prevenzione dei misfatti entro i loro rispettivi territorii e giurisdizioni, hanno deciso di concludere una convenzione supplementare a tale scopo ed hanno nominato come loro Plenipotenziarii :

IL PRESIDENTE DEGLI STATI UNITI D'AMERICA :

Cordell HULL, Segretario di Stato degli Stati Uniti d'America ; e

I CAPITANI REGGENTI DELLA REPUBBLICA DI SAN MARINO :

J. Robert HEWITT, Console Generale della Repubblica di San Marino nella città di New York ; ed

il Conte Alfonso FACCHETTI GUIGLIA, Consulente della Repubblica di San Marino ;

I quali dopo essersi comunicati i loro rispettivi pieni poteri, che sono stati trovati in dovuta e corretta forma, hanno concluso ed accettato i seguenti articoli :

Articolo I.

I seguenti reati sono aggiunti alla lista dei reati, elencati dal N° 1 al N° 14 del Articolo II della detta convenzione del 10 Gennaio 1906, per causa dei quali l'estradizione può essere accordata e cioè :

15. Crimini od offese contro le leggi per bancarotta fraudolenta e quelle per frode o infrazioni di garanzia da parte di banchiere, agente, fattore, fiduciario, esecutore, amministratore, tutore, direttore o funzionario di qualsiasi compagnia o corporazione o da parte di qualsiasi persona che abbia una posizione di fiducia legale.

¹ L'échange des ratifications a eu lieu à Washington, le 28 juin 1935.

² DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome I, page 316.

Article II.

The present Convention shall be considered as an integral part of said Extradition Convention of January 10th, 1906, and Article II of the last-mentioned Convention shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 15 in the first Article of the present Convention.

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Washington as soon as possible.

In witness whereof, the above-named Plenipotentiaries have signed the present Convention in the English and Italian languages and have hereunto affixed their seals.

Done, in duplicate, at Washington this 10th day of October, 1934.

(Seal) Cordell HULL.

Certified to be a true and complete textual copy of the original Convention in all the languages in which it was signed.

For the Secretary of State
of the United States of America :

C. E. MacEachran,
Chief Clerk and Administrative Assistant.

Articolo II.

La presente convenzione sarà considerata come parte integrante di detta convenzione di estradizione del 10 Gennaio 1906 e l'articolo II della summenzionata convenzione sarà letto come se la lista dei reati contenuti nello stesso abbia originariamente compreso i crimini aggiunti, specificati e numerati al N° 15 del primo articolo della presente convenzione.

La presente convenzione verrà ratificata dalle Alte Parti Contraenti in conformità delle loro rispettive leggi costituzionali ed avrà effetto dalla data dello scambio delle ratifiche, che avranno luogo a Washington, non appena sarà possibile.

In testimonianza di che, i sopra menzionati Plenipotenziarii hanno firmato la presente convenzione nelle lingue inglese ed italiana e vi hanno apposto i loro sigilli.

Fatto, in duplicato, a Washington addì 10 Ottobre, 1934.

(*Sigillo*) J. Robert HEWITT.

(*Sigillo*) Alfonso FACCHETTI GUIGLIA.

Certified to be a true and complete textual copy of the original Convention in all the languages in which it was signed.

For the Secretary of State of the
United States of America :

C. E. MacEachran,

*Chief Clerk and Administrative
Assistant.*

¹ TRADUCTION. — TRANSLATION.

N^o 3708. — CONVENTION ADDITIONNELLE A LA CONVENTION D'EXTRADITION DU 10 JANVIER 1906 ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET SAINT-MARIN. SIGNÉE A WASHINGTON, LE 10 OCTOBRE 1934.

LES ÉTATS-UNIS D'AMÉRIQUE et LA RÉPUBLIQUE DE SAINT-MARIN, désireux d'augmenter la liste des crimes et délits pour lesquels l'extradition peut être accordée en vertu de la Convention conclue entre les États-Unis d'Amérique et Saint-Marin le 10 janvier 1906, en vue d'une meilleure administration de la justice et en vue de la répression de la criminalité dans leurs territoires et juridictions respectifs, ont décidé de conclure, à cette fin, une convention additionnelle et ont nommé pour leurs plénipotentiaires :

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE :

M. Cordell HULL, secrétaire d'Etat des États-Unis d'Amérique ; et

LES CAPITAINES-RÉGENTS DE LA RÉPUBLIQUE DE SAINT-MARIN :

M. J. Robert HEWITT, consul général de la République de Saint-Marin dans la ville de New-York ; et

Le Comte Alfonso FACCHETTI GUIGLIA, conseiller de la République de Saint-Marin ;

Qui, après s'être communiqué leurs pleins pouvoirs respectifs, reconnus en bonne et due forme, sont convenus des articles suivants :

Article premier.

Les crimes et délits suivants sont ajoutés à la liste des crimes et délits portant les numéros 1 à 14 à l'article II de ladite Convention du 10 janvier 1906, pour lesquels l'extradition peut être accordée :

15. Crimes et délits contre les lois relatives à la banqueroute frauduleuse ; actes frauduleux ou abus de confiance commis par un banquier, agent, gardien judiciaire, fidéicommissaire, exécuteur testamentaire, curateur, tuteur, administrateur ou membre du bureau d'une société ou association, ou par toute personne légalement investie de fonctions de caractère fiduciaire.

Article II.

La présente convention sera considérée comme faisant partie intégrante de ladite Convention d'extradition du 10 janvier 1906, et l'article II de cette dernière devra se lire comme si la liste des crimes et délits qu'il contient comprenait, à l'origine, les crimes et délits additionnels spécifiés, sous le numéro 15, à l'article premier de la présente convention.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.