

ORDER respecting the Extension of the Chancellor's Dispensing Power over those Islands of the Solomon Group belonging to the Protected Territory of the New Guinea Company.

[TRANSLATION.]

IN virtue of the Imperial Ordinance of the 11th January, 1887, regulating the administration of justice in those islands of the Solomon group belonging to the New Guinea Company's Protectorate, it is determined as follows :—

1. The order of the Imperial Chancellor of the 24th June, 1886, respecting the authorisation of the Governor, Freiherr von Schleinitz, to exercise judicial functions (Centralblatt, No. 26, p. 208).
2. The directions of the Imperial Chancellor of the 1st November, 1886, for the execution of the Imperial Ordinance of the 5th June, 1886, respecting the administration of justice in the Protectorate of the New Guinea Company (Gazette, the 3rd November, 1886, No. 259).
3. The by-laws respecting the exercise of justice in the Protectorate of the New Guinea Company of the 1st November, 1886 (Gazette, the 6th November, 1886, No. 262), will, from the 1st April, 1887, come into operation also on those islands of the Solomon group for which the Imperial letter of protection of the 13th December, 1886, was accorded to the New Guinea Company.

(For the Chancellor.)
Berlin, 24th January, 1887.

Count BISMARCK.

Sub-Enclosure 5.

LAWS published by the German Government bearing upon the Question of German Jurisdiction in the Western Pacific: 1879-86.

No. 1.

[TRANSLATION.]

LAW RESPECTING CONSULAR JURISDICTION OF THE 10TH JULY, 1879.

WE, William, by the Grace of God Emperor of Germany, King of Prussia, &c., decree, in the name of the Empire, and after the consent of the Federal Council and Imperial Parliament, what follows :—

I. GENERAL PROVISIONS.

§ 1. Consular jurisdiction will be exercised in districts in which its exercise is allowed, either by usage or by treaty.

Native or protected subjects of the Empire domiciled or residing within the district, belonging to the jurisdiction of the Consular Court, are subject to that Consular jurisdiction.

§ 2. The districts belonging to the Consular jurisdiction will be determined by the Chancellor of the Empire after consultation with the Committee of the Federal Council for Trade and Commerce.

§ 3. In regard to the Civil Law, the Imperial laws, the General Prussian Common Law, and the general laws dealing with Civil Law, of those Prussian territories in which the Common Law is in force, are to be recognised as in force in the districts of Consular jurisdiction.

In commercial cases, the customary commercial custom or law in force in the districts of Consular jurisdiction is applicable.

§ 4. In regard to Criminal Law, the Penal Code for the German Empire, and the other penal provisions of the Imperial laws are to be held applicable in the districts of Consular jurisdiction.

The Penal Codes of the territorial Governments in force in the districts of Consular jurisdiction are not applicable unless otherwise arranged by treaties or custom.

The Consul is authorised to issue police instructions, binding on the people subject to his jurisdiction in his judicial district, or a part of the same, and to impose the penalty of a fine, not exceeding 150 marks, for the non-observance of the same. A copy of these instructions must be immediately communicated to the Imperial Chancellor.

The Chancellor is empowered to suspend the Police Regulations issued by the Consul.

The Police Regulations, and, similarly, their suspension, are to be published according to the local usage for Consular announcements, in any case by posting them on the Court notice-board.

§ 5. Consular jurisdiction is exercised by the Consul (§ 2 of the Law respecting the Organization of the Federal Consulates of the 8th November, 1867) and by the Consular Court.

The Consul is empowered to exercise jurisdiction when empowered to do so by the Imperial Chancellor.

The Chancellor may admit another official, in conjunction with the Consul, or in his place, to Consular powers in exercising jurisdiction.

§ 6. The Consular Court consists of the Consul as President and two Assessors, in so far as this law does not prescribe the employment of four Assessors.

The Assessors possess an unqualified right to vote.

§ 7. The Consul names, for the duration of one year, four Assessors and at least two substitutes from the respectable persons living within the jurisdiction of the Court ("Gerichtseingesessenen"), or, failing these, from other respectable inhabitants of his department.

§ 8. The administering of the oath to the Assessors takes place on the occasion of their first service at a public sitting. It remains in force for the space of one business year. The President addresses to those to whom the oath is to be administered the words,—

"You swear by the Almighty and Omniscient God faithfully to fulfil the duties of an Assessor of the German Consular Court, and to give your vote according to the best of your knowledge, and conscientiously."

The Assessors take the oath, each one raising the right hand and speaking the words, "I swear it, so help me God." Should an Assessor be a member of a religious society whose regu-