

lations require the use of certain formulas of affirmation in the place of the oath, the delivery of a declaration according to the formulas of this religious society will be considered as equivalent to the taking of the oath. A protocol will be drawn up respecting the administering of the oath.

§ 9. Should the employment of four Assessors be impracticable in the cases in which it is prescribed by this law, the employment of two suffices. Should the employment of two Assessors be impracticable in civil law-suits, the Consul takes the place of the Consular Court.

The reasons for which the employment of Assessors was impracticable must be noted in the minutes of the sitting.

§ 10. The Consul to appoint the persons who are to perform the functions of clerks to the Court and executors of the orders, &c., of the Court "huissiers" (officials charged with the service of writs and the executing of orders, &c.).

If these persons have not already taken the oath as Consular officials, they are, before entering on their office, to engage on oath to perform the duties of the office intrusted to them.

The list of the "huissiers" ("Gerichtsvollzieher") is to be published according to the local usage for Consular announcements, in any case by posting it on the notice-board of the Court.

§ 11. The Consul nominates the persons who are admitted to practise as advocates. The admission is revocable.

Appeals against the decision of the Consul by which permission to practise as an advocate is refused, or the permission cancelled, are to be laid before the Imperial Chancellor.

The list of persons admitted to practise as advocates is to be published according to the local usage for Consular announcements, in any case by posting it on the notice-board of the Court.

§ 12. So far as not otherwise determined by this law, the authority competent to deal with cases assigned to the County Courts ("Amtsgerichten") by the Judicature Law ("Gerichts Verfassungsgesetz") and the Bankruptcy Law is the Consul; for cases assigned to Petty Sessions ("Schöffengericht") and territorial Courts ("Landgericht") as Courts of First Instance, the competent authority is the Consular Court.

In matters not appertaining to contentious jurisdiction ("streitige Gerichtsbarkeit"), which in those Prussian territories indicated in § 3, paragraph 1, appertain in the first instance to the competency of the County Courts ("Amtsgericht") and the territorial Courts ("Landgericht"), the Consul is the competent authority.

§ 13. The provisions of §§ 13 to 16 of the Judicature Law ("Gerichts Verfassungsgesetz") are so applied in contentious litigation ("streitige Gerichtsbarkeit") that the interval prescribed by § 183 shall extend to two weeks.

II. PROCEDURE IN CIVIL SUITS AND IN BANKRUPTCY CASES.

§ 14. In civil suits and bankruptcy cases the Civil Procedure Code and the Bankruptcy Code, together with the laws introducing them, as well as the provincial regulations which have been issued for those provinces of Prussia designated in § 3, paragraph 1, for carrying out the above-mentioned Imperial laws, or which are in force in conjunction with them, are applied according to the following provisions.

§ 15. The procedure in civil suits before the Consul, as also before the Consular Court, is regulated according to those provisions of the Civil Procedure Code which govern procedure before the County Courts, subject to the condition that the provisions of §§ 313 to 319 of the Civil Procedure Code must also be applied.

§ 16. In cases to be heard before the Consular Court the Assessors only take part in the oral proceedings, and in such decisions as arise in, or result from, the same.

§ 17. The functions of official counsel ("Staatsanwaltschaft") in matrimonial causes in the case of § 585, and in minority suits in the cases contemplated by §§ 607, 620 (paragraph 4), 624 (paragraph 3), and 626 (paragraph 3), of the Civil Procedure Code, are intrusted by the Consul to a person admitted to practise as an advocate, or, if such should not be available, to some other reliable resident within the jurisdiction of the Court.

In all other cases the official counsel ("Staatsanwaltschaft") takes no part.

§ 18. Legal remedies (*i.e.*, appeal) cannot be resorted to in civil suits falling under the competency of the Consul (§ 12, paragraph 1), where the value of the subject of litigation does not exceed the sum of 300 marks.

Otherwise the Imperial Court is the competent authority to deal with and decide as to the proper legal means in cases of appeal, in civil suits heard before the Consul and the Consular Court, and in bankruptcy cases.

Against the decisions of the Imperial Court there is no further appeal.

§ 19. The provision of § 540, paragraph 3, of the Civil Procedure Code is not applied if the provision at which exception is taken is issued by the Consul.

§ 20. The appeal is lodged with the Consul, and is presented in a written form. The provision of § 74, paragraph 1, of the Civil Procedure Code is not applied to the lodging of the appeal. The Consul is to have a copy of the written appeal officially presented to the opposing party according to § 16 of the Civil Procedure Code, and to transmit the protocols of the trial to the Court of Appeal.

The latter has officially to notify and make known to the parties the day fixed for the oral hearing of the case.

The notification of the date of trial is to be made to the legal attorneys appointed to represent the parties to the suit before the Court of Appeal either as their representatives for the purposes of the trial, or for the reception of documents, &c., addressed to them ("Prozess- or zustellungs Bevollmächtigten"), and whose names must be given in due time to the Imperial Court, either by the Consul or the parties themselves; in default of such attorneys the notice must be given to the parties themselves.