

Chargé d'Affaires at Berlin, enclosing the text and a translation of a law passed by the German Reichstag amending the consular jurisdiction introduced into the German Protectorate in regard to the law of real property.

I also transmit to you a copy of a further despatch from Mr. Scott, with an Imperial Decree introducing a system of land-legislation in the Protectorate of the New Guinea Company.

I desire to draw particular attention to Articles 10 and 12 of this decree.

The Officer Administering the Government of New Zealand.

I have, &c.,

H. T. HOLLAND.

Enclosure 1.

Mr. SCOTT to the Marquis of SALISBURY.

MY LORD,—

Berlin, 16th July, 1887.

With reference to your Lordship's Despatch No. 318, of the 4th instant, I have the honour to state that the German Protectorate Jurisdiction Law, referred to in the Report of Parliamentary Proceedings enclosed in Sir E. Malet's No. 235, of the 30th June, was under discussion in draft form only. It aimed at amending the law of the 17th April, 1886, text and translation of which were forwarded in Sir E. Malet's No. 148, of the 23rd April of this year, as, on further consideration, it was found that in certain particulars, and especially in regard to the law of real property, the Consular Jurisdiction Law, introduced into the Protectorates by the law of the 17th April, could not be satisfactorily adapted to the circumstances of some of the new Protectorates.

The new draft of law submitted by the Government to the Reichstag was eventually rejected in favour of an amended draft, which simply alters the law of the 17th April, 1886, by the introduction of a single new paragraph into section 3.

By this paragraph the Imperial Executive is authorised, if necessary, to lay down by Imperial Order other rules of law relating to real property than those indicated in section 2 of the law of the 17th April, 1886.

A law to this effect has just received the Imperial sanction, and was published in last night's Gazette.

I have the honour to enclose text and translation herewith.

I have, &c.,

CHARLES S. SCOTT.

Sub-Enclosure.

[Extract from the "Imperial Gazette" of 15th July, 1887.]

[TRANSLATION.]

LAW respecting the ALTERATION of the LAW referring to Legal Jurisdiction in German Protectorates of 17th April, 1886 ("Reichs-Gesetzblatt," p. 75).

WE, William, by the Grace of God German Emperor, King of Prussia, &c., ordain in the name of the Empire, with the consent of the Federal Council and of the Imperial Parliament, as follows:—

Only Paragraph.—The following number shall be added to § 3 of the law respecting legal jurisdiction in German Protectorates of the 17th April, 1886 ("Reichs-Gesetzblatt," p. 75):—

(6.) Can lay down a regulation for legal jurisdiction as to real property, different from the prescriptions laid down in § 2 of this law.

Given under our hand and seal, Bad-Ems, 7th July, 1867.

VON SCHELLING.
Count BISMARCK.

WILLIAM.

Enclosure 2.

Mr. SCOTT to the Marquis of SALISBURY.

MY LORD,—

Berlin, 30th July, 1887.

With reference to my Despatch No. 268, of the 16th instant, and to previous despatches from this Embassy, enclosing copies of laws establishing German jurisdiction in the territories of the Imperial Protectorates, I have the honour to forward herewith the text and translation of an Imperial decree introducing, under the authority of the special clause inserted, by the law of the 7th July, 1887, in the law of the 17th April, 1886, a system of land-legislation for the territories of the New Guinea Protectorate.

Your Lordship will perceive that the system is the same as that in force in Prussia, which is based on the principle of registration of titles, and laid down in detail in the Prussian law of the 5th May, 1872, reported on in my memorandum enclosed in Sir E. Malet's No. 196, of the 28th May.

It will also be observed that, by Article 12 of the present decree, the provisions relating to proof of title are not to prejudice the provisions of No. 4 of the Anglo-German Declaration of the 10th April, 1886, but that the obligation of registering titles will apply to British claims as soon as they have been decided on by the Mixed Commission.

The decree is to take effect from the 1st October of the present year.

I have, &c.,

CHARLES S. SCOTT.