

*Article V.*

German ships-of-war shall be at liberty to enter into the Harbour (called) Saluafata, to anchor, and remain there, to take in supplies, and to repair. And the German Government shall, furthermore, be at liberty to make there, at its own pleasure, all such contrivances or arrangements that may be useful for German ships-of-war and their officers and crews.

The Samoan Government also agrees that the German Government may erect buildings on the shores of the said harbours for storing therein coal or any supplies for the German ships-of-war and their officers and crews.

The German Government shall also be at liberty to hoist their flag on the ground where the station-buildings will be erected; but the sovereignty of the Government of Samoa over the harbour of Saluafata shall not in any way be abridged or prejudiced thereby. On the other hand, the Samoan Government promises also not to do anything whereby the rights granted in this Article to the German Government may in any way be prejudiced or made valueless.

The Harbour of Saluafata shall not be closed, on account of the rights granted by this Article to the German Government, to the naval or mercantile ships of any such other nations for whom the Samoan Government keep their other ports opened; but the Government of Samoa shall not grant to any other nation such rights, with respect to the Harbour of Saluafata and its shores, as those granted to the German Government.

German ships-of-war shall, furthermore, be at liberty to enter into all other places, harbours, and waters of Samoa, to anchor and remain there, to take in supplies and to repair, in accordance with such laws as may be agreed upon in future between the two Governments. And the Samoan Government also promises hereby that they will not in any way grant any privileges to any other nation before the German Government with respect to the Harbour of Apia and its shores, but that the German Government shall always enjoy also in that respect the same rights as other nations.

*Article VI.*

The subjects of the two Contracting Parties may reciprocally, with full liberty, proceed to every port of their respective territories, undertaking voyages and journeys, taking up their residence, and carrying on commerce or trades. They may buy or rent there premises or lands, cultivate and use them, and erect thereon houses, warehouses, and stores and shops. In all these cases, the Samoans in Germany have to submit to the laws and regulations of the country, and to pay the same taxes, duties, and charges as the subjects belonging to the country.

Likewise, the Germans in Samoa shall observe such laws and regulations, and pay such taxes and duties to the Samoan Government, as may hereafter be agreed upon between the two Governments; but the German subjects shall therein always enjoy in Samoa the same rights and advantages as the Samoans, or the subjects of the most favoured nation.

Especially does the Samoan Government hereby guarantee to the German subjects peaceable possession of all lands in Samoa which they have hitherto bought from Samoans in a regular manner, and in accordance with the custom at the time; and all further interference with regard to such lands is, therefore, excluded, by this confirmation by the Samoan Government of the ownership of the German subjects.

The Germans shall, therefore, be at liberty to make use of all their lands in Samoa without interference, to establish plantations thereon, and to procure and employ the necessary labourers, as well for such purpose as also in general for their wharves, business premises, and houses.

*Article VII.*

It remains with the German Government to determine the jurisdiction to which German subjects and their clients who reside (or sojourn) in Samoa have to submit with regard to disputes between them, or to offences and crimes committed against each other; but the determination of a jurisdiction and of proceedings with reference to disputes between German subjects and their clients residing (or sojourning) in Samoa, of the one part, and Samoans, of the other part, as well as with reference to offences and crimes committed by the subjects of one of the Contracting Parties against those of the other, is reserved for an especial agreement between the two Governments, including the necessary regulations with regard to the execution of the punishment of such persons who have been convicted, and also with regard to mutual competency of applying compulsion for the appearance of witnesses at legal proceedings (trials).

Meanwhile, until the two Governments have thus agreed, all disputes arising between Germans in Samoa and Samoans shall be decided, in the manner hitherto customary, by the German Consul or his substitute, in conjunction with an officer of the Samoan Government.

*Article VIII.*

All laws and regulations which the German subjects and their clients residing (or sojourning) in Samoa will have to submit to, as well as all taxes and charges which they will have to pay accordingly to the Samoan Government, shall be deliberated upon between the German Consul, or other persons appointed for that purpose by the German Government, and officers of the Samoan Government; also, all useful measures to bring about the observance of such laws and regulations by Germans in Samoa; but all such laws and measures which have been deliberated and agreed upon between the officers of the two Governments, shall only come into force after obtaining the confirmation of the German Government.

But any agreement which the officers of the two Governments have come to with regard to municipal arrangements, or police, quarantine, and Apia harbour regulations, or with reference to a prohibition or regulation of the sale and supply of spirituous and intoxicating liquors to Samoans and natives from other islands of the Pacific Ocean by Germans in Samoa, shall at once be observed by the German subjects in Samoa, and as long as the German Government has not refused the confirmation of the same.