

CHINESE OR SPANIARD ?

To the Editor of the

"NORTH-CHINA DAILY NEWS."

SIR,—I hope you will be kind enough to publish in your valuable paper the following remarks that will throw some light on a very old and very tedious question.

At the Mixed Court on the 29th of September 1905, it was said that "it was a very dangerous practice to allow Chinese subjects who had committed crimes, or were about to commit crimes, to rush to the Spanish Consulate and register themselves as Spanish subjects, and thus obtain the protection of the Spanish Consul." In conversations and in the Press of Shanghai so much has been said about the procedure of the Spanish Court in our Settlement that it is no exaggeration to say that public opinion thinks that it is very easy and cheap, too, to become a Spanish subject.

I will not deal with the question of cheapness, as it is not mine but my Consul's business to answer it. I will only try to prove that it is very difficult for a foreigner to become a Spanish subject—"En España no se naturaliza ó admite como natural al extranjero sino con mucha dificultad," say the interpreters of Spanish Civil Law—and that the letters of naturalisation cannot be attained by simply rushing to the Spanish Consulate of Shanghai.

The difficulty to be naturalised in Spain is so great that the letters of naturalisation can be granted only by the Sovereign in a Royal Decree and the Sovereign himself can give such a document only when necessary to reward the merits and services of a foreigner. (Ley 6a, Tit. 14, lib. 1o de la Nov. Recop.)

Now, where are the merits and services rendered to Spain by those Chinese who rush to the Spanish Consulate for protection? Have they letters of naturalisation given by Alfonso XIII or by the Spanish Consul of Shanghai? In the first instance they will be Spanish subjects, King Alfonso's subjects; in the second case they will be, at the most, Mr. Castillo's subjects.

I cannot ascertain if some of the Chinese registered in the Spanish Consulate of Shanghai have been or not Spanish subjects in the Philippines; but if, as it is likely, they have lost their former nationality to become Chinese subjects, then they cannot be naturalised again as Spaniards if they do not go to Spain. On this subject the Spanish Law has the following articles:

Art. 20.—La calidad de español se pierde por adquirir naturaleza en país extranjero, ó por admitir empleo de otro Gobierno, ó entrar al servicio de las armas de una potencia extranjera, sin permiso del Rey.

Art. 25.—El español que pierda esta calidad por adquirir naturaleza en país extranjero podrá recobrarla volviendo al Reino, declarando que tal es su voluntad ante el encargado del Registro civil del domicilio que elija para que haga le inscripción correspondiente, y renunciando á la protección del pabellón de aquel país.

I would be very pleased if anyone could tell me if the above Articles of Spanish Civil Law have been changed lately or can be otherwise interpreted. At the same time I would be very glad to know if there is some special agreement between China and Spain modifying the same articles.

Including my card,

I am, etc.

TRUE SPANIARD.

1st May, 1906.

* * For the information of our correspondents and others interested we give below an exact copy of a certificate of nationalisation issued this year, together with an English translation.—
ED.

COPY.

Shanghai

Num : 68

Núm. de órden...413
Art. de la tarifa...64
Dros \$. . 16 Cents...80
Fecha 10/3/06.

**CERTIFICADO DE NACIONALIDAD
CONSULADO DE ESPAÑA EN SHANGHAI.**

**SEÑAS PERSONALES EL CONSUL DE
DEL PORTADOR ESPAÑA EN SHANG-**
HAI.

Estado...casado ...
Edad.....44 anos...
Estatura
Pelo
Ojos
Nariz.....
Boca
Barba
Cara
Color.....
Señas particulares
...
Vale por el ano 1906.

Certifica : Que
Don...Chu Pea Cho
()
alias Chu Ning
Kwon, natural de
Canton, Provincia
de...Kwantung, de
... 44 ... años de
edad, profesion...
socio "China Paper
Mill Co." ha obten-
ido proteccion es-
pañola è inscrito en
el Registro Matri-
cula de Españoles
com residencia Per-
manente en Shang-
hai bajo el No. 413
En fé de lo cual
expido el presente,
que firmo y sello
en Shanghai, China,
á 10 de Marzo de
1906.

El Consul de
España

(seal) H. L. DEL CASTILLO.

Artículo 10 del Registro de nacionalidad: "Los españoles domiciliados, que estando obligados à proveerse del certificado de nacionalidad, no lo hagan en el termino reglamentario, pagaran, por via de multa, el duplo de su valor; en la inteligencia de que las reclamaciones que entablèn sobre asuntos anteriores su matriculacion seran desatendidas."

(Translation.)

No. 68

Shanghai
No. of order 413
Art of the
Tariff 64
Fee \$16.80
Dated 10 3.06

Certificate of Nationality,
Spanish Consulate, Shanghai.
Signs of Identification,
Married or Single,
Age—44 years,
Stature,
Hair,
Eyes,
Nose,
Mouth,
Beard,
Face,
Colour,
Particular Signs,
Available for the year 1906.

Seal.

The Spanish Consul in Shanghai certifies that Mr. Chu Pea-cho, *alias* Chu Ning-kwon, a native of Canton, in the Province of Kwangtung, 44 years of age, partner in the "Chinese Paper Mill Co.," has obtained Spanish protection, and is inscribed in the registry of Spaniards who reside permanently in Shanghai, under No. 413. In token of which this present is issued, signed and sealed in Shanghai, China, the 10th of March, 1906.

The Spanish Consul,

H. L. DEL CASTILLO,

Article 10 of the Register of Nationalisation.

"Spanish residents, who, being obliged to provide themselves with certificates of nationalisation, do not do so within the time allowed, shall pay, by way of fine, double the value (of the fee); with the understanding that any privileges (reclamations) claimed in regard to anything that transpired before the registration shall be disallowed."