

**Law Respecting the Acquisition and Loss of the Quality of Prussian by a Prussian Subject, and His Admission to Foreign Citizenship.**

**[31 December 1842]**

We, FREDERICK WILLIAM, &c., &c., ordain, & c.

**§ 1**

The rights of Prussian subjects are founded on---

1. Descent (§ 2),
2. Legitimization (§ 3),
3. Marriage (§ 4), and
4. Permission (§§ 5 to 10).

**§ 2**

Every legitimate child of a male Prussian subject is by birth a Prussian subject, even though born in a foreign country. Illegitimate children follow the status of the mother.

**§ 3**

If the mother of an illegitimate child is a foreigner and the father a Prussian subject, the child may become a Prussian subject by means of legitimization drawn up in accordance with the Prussian laws.

**§ 4**

A foreign women becomes a Prussian subject on her marriage to a Prussian subject.

**§ 5**

Permission to become a Prussian subject may be granted upon the issuing of a deed of naturalization, which the police authorities are empowered to grant.

**§ 6**

A permission to a foreigner to enter the service of the Prussian State takes the place of the deed of naturalization. An exception to this rule is made in cases of foreigners employed abroad as consuls or commercial agents.

## **§ 7**

The rights of a Prussian subject can only be granted to those foreigners who---

- (1) Are capable of receiving them in accordance the laws of their former country;
- (2) Have led an irreproachable life;
- (3) Have got a house or the means of subsistence in the place where they have settled;
- (4) Are in a position to sustain themselves and their families in that place; and
- (5) If they are subjects of a German state, have fulfilled their military obligations to their original country, or have been released by doing so.

## **§ 8**

The police authorities are bound before granting naturalization rights to inform the municipality of the district where the applicant proposes to reside, in accordance with the requirements of § 7, Nos. 2, 3, 4, and to listen to their statement and to regard their objections.

## **§ 9**

The grant of naturalization confers all the rights and duties of a Prussian subject at the date of the grant.

## **§ 10**

The permission to become a Prussian subject will be extended, unless a special exception is made, to the wife and children under age. If one of these should not have complied with the requirements of § 7, No. 2, respecting a irreproachable life, and should therefore not be admitted, the whole family must be refused.

## **§ 11**

Nothing in this law shall affect the rights and duties of subjects resulting from the possession of landed property, and especially from the possession of manors and from the oath of homage.

## **§ 12**

No parish may receive a foreigner as a member until he has obtained the rights of a Prussian subject.

### **§ 13**

Residence within the Prussian State shall not for the future constitute a claim for becoming a Prussian subject.

### **§ 14**

Foreigners who wish to reside in Prussia, and do not wish to be regarded as mere travelers, may be called upon to prove the continuance of their former allegiance by means of a certificate (Heimathschein).

### **§ 15**

The quality of a Prussian subject is lost---

1. By discharge upon the subject's request,
2. By sentence of the competent authority,
3. By living ten years in a foreign county, and
4. By the marriage of a female Prussian subject to a foreigner.

### **§ 16**

The discharge has to be asked for from the police authority of the province in which the subject's domicile is situated, and is effected by a document made out by the same authority.

### **§ 17**

The discharge cannot be granted---

- (1) To male subjects who are between seventeen and twenty years of age, until they have got a certificate of the military commission of recruitment of their district, proving that their application for discharge is not made merely to avoid the fulfilling of their military duty in the standing army.
- (2) To actual soldiers, belong to either to the standing army or the reserve; to officers of the militia and to public functionaries, before their being discharged from service;
- (3) To subjects having formerly served as officers in the standing army or the militia, or having been appointed military employees, with the rank of officers, or civil functionaries, before they have got the consent of the former chief; and

(4) To the persons belong to the militia, not being officers, after their having been convoked for actual service.

## **§ 18**

To subjects wishing to emigrate into a State of the German Confederacy the discharged may be refused if they cannot prove that said State is willing to receive them.

## **§ 19**

For other reasons than those specified in §§ 17 and 18, the discharge cannot be refused in time of peace, For time of war, special regulations will be made.

## **§ 20**

The document of discharge effects, at the moment of its delivery, the loss of the quality as a Prussian subject.

## **§ 21**

If there is no special exception, the discharge comprehends also the wife and the minor children that are still under the father's authority.

## **§ 22**

Subjects living in a foreign country may lose their quality as Prussian subjects by a declaration of the police authority of Prussia, if they do not obey, within the time fixed to them, the express summons for returning to their country.

## **§ 24**

Subjects who either---

(1) Leave our State without permission, and do not return within ten years; or

(2) Leave our State with permission, but do not return within ten years after

the expiration of term granted by such permission,

Lose their quality as Prussian subjects.

## **§ 25**

A subject who either---

(1) Takes public service in a foreign state, with our immediate permission; or

(2) Is appointed in our State by a foreign power, in an office established with our permission, as for instance, that of consul, commercial agent, &c.,

Shall remain in his quality as a Prussian subject.

## **§ 26**

Subjects who emigrate without having obtained their discharge, or violate, by their entering into public service in a foreign state, the disposition of § 24, are to be punished according to the laws existing in that respect.

**Given under Our Hand and Seal, Berlin, this 31st of December, 1842**

**FREDERICK WILLIAM**