

# Naturalization Research

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Naturalization is the process by which an alien (immigrant) becomes a citizen of the United States of America. The laws governing this process have changed many times over the years and are outlined below. These changes impact where you will be able to find records of the process. Additionally, many immigrants, approximately 25.7 percent, never became citizens but lived and worked in the United States for most of their lives.

## Naturalization Processes

- 1790 - All free white persons who had lived in the US for two years could apply to any state court (in whose jurisdiction they lived for one year) for citizenship. They had to convince the court they were of good character and take an oath of allegiance to the Constitution. The minor children of the new citizen were automatically naturalized when he was.
- 1795 - A two step process was begun for free white aliens to become citizens. Each must declare in court their intention to become a citizen (a.k.a. Declaration of Intent) and renounce any allegiance to a foreign authority three years before citizenship would be granted. Each man must have lived in the United States for five years and one year in the jurisdiction of the state court to which he applied. Any hereditary titles or orders of nobility were also to be renounced upon the granting of citizenship. As in 1790, minor children of the new citizen were automatically naturalized.
  - 1798-1800 – During a conflict with France, there were four additional changes to the naturalization laws. For more detailed information on these changes see p. 473 of *The Source* (1997) by Szucs.
- 1802 – Clarified the two step process begun in 1795. A free white alien may be admitted to citizenship by: 1) declaring his intention to become a citizen in a competent state or federal court at least three years before admission to citizenship (Declaration of Intent), 2) taking an oath of allegiance, 3) living in the United States at least five years and one year in the jurisdiction of the court to which he is applying, 4) renouncing allegiance to any foreign authority, and 5) satisfy the court that he is of good moral character and attached to the principals of the constitution. Minor children of the new citizen were automatically naturalized.
- 1868 – The 14<sup>th</sup> Amendment to the US Constitution removed the race requirement.
- 1906 – Creation of the Bureau of Immigration and Naturalization standardized the forms used throughout the United States for Declarations of Intention and Petitions for Citizenship. Certificate files from 1906 until 1956 are available from the INS (immigration and naturalization service).
- 1922 – A female would no longer become a citizen solely by virtue of marriage to a citizen but would be naturalized if she met all other requirements except for the declaration of intent. Additionally, if a female citizen born or naturalized, married an alien ineligible for citizenship, she would lose her citizenship and could not be naturalized for the length of her marriage. A 1931 amendment changed the law so that a woman no longer lost her citizenship due to marriage.

### Special Cases for Citizenship

- *Military Service* – Several times (1862, 1894, and 1918), the naturalization process was modified for honorably discharged military personnel. The declarations of intention and residency requirements were waived and in 1918, the petition papers were filed at military posts or nearby courts instead of with courts near their residences. Additionally many veterans misunderstood the modifications and believed that they were automatically naturalized.
- *Native Americans* – This group of people were admitted to citizenship through treaty provisions and other special statutes.

### Resources

Some indexes to Naturalization records can be found in our book collection shelved within the State and County of the court in which they were filed. For example, if your ancestor was naturalized in Crawford County, Ohio, look in the Ohio section for Crawford County and then the title, Naturalization Records for Crawford County Ohio. Our collection includes many naturalization record resources for many states and counties. Search the catalog by title / subject keyword using the county you are interested in and the word naturalization. Naturalization Records from the Summit County Probate Court from 1846-1930 are available on microfilm at the library and are also available online at: <http://www.cpclerk.co.summit.oh.us/welcome.asp>

### Additional Resources

- *American Naturalization Records, 1790-1990: What they are and how to use them* (1998) aisle **5B**
- *Guide to Naturalization Records* (1997) aisle **5B**
- *They Became Americans: Finding Naturalization Records and Ethnic Origins* (1998) aisle **6A**

### Electronic Sources

- Naturalization Records from the Summit County Probate Court from 1846-1930 are available online at: <http://www.cpclerk.co.summit.oh.us/welcome.asp>
- Types of U.S. naturalizations are summarized with links provided to on-line indexes at <http://www.genealogybranches.com/naturalization.html>.
- The National Archives and Records Administration has some naturalization records. Their holdings as well as tips on naturalization research can be found at <http://www.archives.gov/genealogy/naturalization/>.
- US Citizenship and Immigration Services hosts detailed information on naturalization records at <http://uscis.gov/graphics/aboutus/history/natzrec/natrec.htm> and the history of immigration at <http://uscis.gov/graphics/aboutus/history/index.htm>.
  - Naturalization records from 1906 to 1956 have been microfilmed, and are available via Freedom of Information/Privacy Act request to INS Headquarters in Washington, D.C. For naturalization records after 1956, Freedom of Information requests should be sent to the appropriate INS District Office.
- Many states have placed their naturalization records on line. Perform an internet search using the word naturalization and the state in which your ancestor became a citizen.