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[Genealogists/Family Historians](#) [Naturalization](#) [Naturalization Records](#)

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[What You Can Do on This
Web Site](#)

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Research](#)

[Research Topics for
Genealogists](#)

[Genealogy Links](#)

[FAQs](#)

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Archives](#)

[Publications](#)

[Genealogy Workshops](#)

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Catalogs](#)

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[Go to the Research
Main Page](#)

[Print Page](#)

[E-mail Page](#)

[Bookmark Page](#)

Naturalization Records

- [Introduction](#)
- [The Courts](#)
- [The Process](#)
- [The Records](#)
- [Location of the Records](#)
- [For More Information](#)

Introduction

Naturalization is the process by which an alien becomes an American citizen. It is a legal act; naturalization is not required. Of the foreign-born persons listed on the 1890 and 1930 censuses, 25 percent had **not** become naturalized or filed their "first papers."

This article is adapted from Claire Prechtel-Kluszens, "The Location of Naturalization Records," *The Record*, Vol. 3, No. 2, pp. 21-22 (Nov. 1996).

The Courts

From the first naturalization law passed by Congress in 1790 through much of the 19th century, an alien could become naturalized in any court of record. Thus, most people went to the court most convenient to them, usually a **county court**. The names and types of courts vary from State to State. The names and types of courts have also varied during different periods of history--but may include the county supreme, circuit, district, equity, chancery, probate, or common pleas court. Most researchers will find that their ancestors became naturalized in one of these courts. A few **State supreme courts** also naturalized aliens, such as the supreme courts of Indiana, Idaho, Iowa, Maine, New Jersey, and South Carolina. Aliens who lived in large cities sometimes became naturalized in a **Federal court**, such as a U.S. district court or U.S. circuit court.

General Rule: The Two-Step Process

Congress passed the first law regulating naturalization in 1790 (1 Stat. 103). As a general rule, naturalization was a two-step process that took a minimum of 5 years. After living in the United States for 2 years, an alien could file a "declaration of intent" (so-called "first papers") to become a citizen. After 3 additional years, the alien could "petition for

naturalization." After the petition was granted, a certificate of citizenship was issued to the alien. These two steps did not have to take place in the same court. As a general rule, the "declaration of intent" generally contains more genealogically useful information than the "petition." The "declaration" may include the alien's month and year (or possibly the date) of immigration into the United States.

Exceptions to the General Rule

Having stated this "two-step, 5-year" general rule, it is necessary to note several exceptions.

The **first major exception** was that "derivative" citizenship was granted to wives and children of naturalized men. From 1790 to 1922, wives of naturalized men automatically became citizens. This also meant that an alien woman who married a U.S. citizen automatically became a citizen. (Conversely, an American woman who married an alien lost her U.S. citizenship, even if she never left the United States.) From 1790 to 1940, children under the age of 21 automatically became naturalized citizens upon the naturalization of their father. Unfortunately, however, names and biographical information about wives and children are rarely included in declarations or petitions filed before September 1906. For more information about women in naturalization records, see [Marian L. Smith, "Women in Naturalization, ca. 1802-1940," *Prologue: Quarterly of the National Archives*, No. 2 \(Summer 1998\): 146-153.](#)

The **second major exception** to the general rule was that, from 1824 to 1906, men who had lived in the United States 5 years before their 23rd birthday could file both declarations and petitions at the same time.

The **third major exception** to the general rule was the special consideration given to veterans. An 1862 law allowed honorably discharged Army veterans of any war to apply for naturalization--without previously having filed a declaration of intent--after only 1 year of residence in the United States. An 1894 law extended the same no-previous-declaration privilege to honorably discharged 5-year veterans of the Navy or Marine Corps. Over 1 million aliens were naturalized between May 9, 1918, and June 30, 1919, under an act of Congress, 1918, that allowed aliens serving in the U.S. armed forces during "the present war" to file a petition for naturalization without making a declaration of intent or proving 5 years of residence. Laws enacted in 1919, 1926, 1940, and 1952 continued various preferential treatment provisions for veterans.

The Records

It is impossible to provide hard-and-fast rules about the content or even the existence of naturalization records. The 1905 *Report to the President of the Commission on Naturalization* remarked:

The methods of making and keeping the naturalization records in both the Federal and State courts are as various as the procedure in such cases. Thus, the declaration of intention in some courts consists merely of the bare

statement of the intention and the name and allegiance of the alien, while in other courts it also includes a history of the alien.... In a majority of courts, applicants are not required to make the declaration of intention required by law ... and in other courts he is. Previous to 1903 a majority of courts did not require petitions or affidavits; other courts did. Some courts keep a naturalization record separate from the other records; other courts include the naturalization record in the regular minutes of the court. Some records contain full histories of the aliens, but a majority of the records show only the name, nationality, oath of allegiance, and date of admission.

In 1903 a Justice Department investigator made even more condemnatory comments:

I find the naturalization records in many cases in a chaotic condition, many missing and destroyed, and some sold for old paper. Most of the records consist of merely the name and nativity of the alien with no means of identifying aliens of the same name....In numerous cases I find aliens naturalized under initials instead of Christian names, surnames misspelled or changed entirely, and names of witnesses inserted in place of the alien naturalized....The examination of the records discloses the remarkable fact that never, since the first enactment of the naturalization laws, has any record been made in any court of the names of minor children who, under the operation of the statutes, were made citizens through the naturalization of their parents.

The Location of these Records

County Court Records

Naturalization records from county courts may still be at the county court, in a county State archives, or at a regional archives serving several counties within a State. Since these records or indexes have been published, such as the *Index of Naturalization: Ashtabula County, Ohio, 1875-1906*, published by the Ashtabula County Genealogical Society.

Do not be surprised if county court employees tell you that their naturalization records are at "the National Archives" or that their court never conducted naturalizations. Most county court employees are probably not genealogists and may not be familiar with the county court records. It is up to the researcher to determine the location of older court records.

County Court Records in the National Archives

As a **general rule**, the National Archives does **not** have naturalization records created at the State or local courts. However, some county court naturalization records have been deposited to the National Archives and are available as National Archives microfilm publications.

- **California:**

M1526. *Naturalization Index Cards from the Supreme Court of San Diego County*

California, 1929-1956 (5 rolls).

M1608. *Naturalization Index of the Superior Court for Los Angeles County, 1852-1915 (1 roll).*

M1609. *Index to Citizens Naturalized in the Superior Court of San Diego, California, 1853-1956 (1 roll).*

M1612. *Index to Declarations of Intention in the Superior Court of San Diego, California, 1853-1956 (1 roll).*

M1613. *Naturalization Records in the Superior Court of San Diego County, California, 1883-1958 (19 rolls).*

M1614. *Naturalization Records of the Superior Court of Los Angeles County, 1876-1915 (28 rolls).*

- **Washington State:**

M1233. *Indexes to Naturalization Records of the King County Territorial and Courts, 1864-1889 and 1906-1928 (1 roll).*

M1234. *Indexes to Naturalization Records of the Thurston County Territorial Superior Courts, 1850-1974 (2 rolls).*

M1235. *Indexes to Naturalization Records of the Snohomish County Territorial Superior Courts, 1876-1974 (3 rolls).*

M1238. *Indexes to Naturalization Records of the Pierce County Territorial and Courts, 1853-1923 (2 rolls).*

M1543. *Naturalization Records of the Superior Courts for King, Pierce, Thurston, Snohomish Counties, Washington, 1850-1974 (103 rolls).*

In addition, there are three National Archives microfilm publications that serve as indexes to some **State and local court naturalizations in Connecticut, Illinois, Indiana, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont.**

- M1285. *Soundex Index to Naturalization Petitions for the United States District Circuit Courts, Northern District of Illinois, and Immigration and Naturalization District 9, 1840-1950 (179 rolls).* This serves both as an index to naturalization petitions from the two Federal courts mentioned in its title and as an index to naturalization petitions filed in county courts in eastern Iowa, northwestern Wisconsin, and northern Illinois. Specifically, the following counties are included:

Illinois counties: Boone, Bureau, Carroll, Champaign, Cook, DeKalb, DuPage, Fulton, Grundy, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Knox, Lake, LaSalle, Lee, Livingston, Marshall, McHenry, McLean, Mercer, O'Fallon, Putnam, Rock Island, Stark, Stephenson, Tazewell, Vermilion, Warren, White, Winnebago, and Woodford.

Indiana counties: Benton, Fulton, Jasper, Lake, LaPorte, Marshall, Newton, Pulaski, St. Joseph, and Starks.

Iowa counties: Allamakee, Appanoose, Benton, Black Hawk, Bremer, Buchanan, Butler, Cedar, Chickasaw, Clayton, Clinton, Davis, Delaware, Des Moines, Dickinson, Fayette, Floyd, Grundy, Hardin, Henry, Howard, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Mahaska, Mitchell, Monroe, Muscatine, Scott, Van Buren, Wapello, Washington, and Winneshiek.

Wisconsin counties: Adams, Brown, Calumet, Columbia, Crawford, Dane, Door, Florence, Fond du Lac, Forest, Grant, Green, Green Lake, Iowa, Jefferson, Kenosha, Kewaunee, Lafayette, Langlade, Manitowish, Marinette, Marquette, Menominee, Milwaukee, Oconto, Outagamie, Ozaukee, Portage, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waushara, Winnebago, and Wood.

- M1674. *Index (Soundex) to Naturalization Petitions Filed in Federal, State, and County Courts in New York, New York, including New York, Kings, Queens, and Richmond Counties, 1792-1906* (294 rolls). This serves as a finding aid for New York County naturalization petitions.
- M1299. *Index to New England Naturalization Records, 1791-1906* (117 rolls) serves a similar function for naturalizations occurring in various courts in the New England States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Federal Court Records

If the naturalization took place in a Federal court, naturalization indexes, declarations of intent, and petitions will usually be in the NARA [regional facility](#) serving the State in which the Federal court is located. Some of these indexes and records have been microfilmed.

The Microfilm Reading Room (Room 400) in the [National Archives Building](#), 700 Pennsylvania Avenue, NW, Washington, DC, has some microfilmed Federal court naturalization indexes, declarations, and petitions, but they do not form a complete collection of these records. For listings of naturalization indexes and records available as National Archives microfilm publications in Room 400, see listings for Record Group 21, Records of U.S. District Courts; Record Group 85, Records of the Immigration and Naturalization Service; and Don

Materials in the National Archives in [Microfilm Resources for Research: A Comprehensive Catalog of National Archives Microfilm Publications](#) (Washington, DC: National Archives Records Administration, 1996).

For more information

- For more detailed information about **naturalization laws and procedures**

Kettner, James H. *The Development of American Citizenship, 1608-1870* (Chapel Hill, NC: Univ. of North Carolina Press, 1978).

Newman, John J. *American Naturalization Processes and Procedures, 1790-1990* (Indianapolis: Indiana Historical Society, 1985).

Newman, John J. *American Naturalization Records, 1790-1990: What They Are and How to Use Them* (Bountiful, UT: Heritage Quest, 1998).

- For general information about the **regulation of immigration** into the United States, consult:

U.S. Department of Justice, Immigration and Naturalization Service, *An Immigration Nation: United States Regulation of Immigration, 1798-1991* (Washington, DC: Government Printing Office, 1991).

- For information about **Federal naturalization records and indexes** available on National Archives microfilm publications, consult:

Listings for Record Group 21, Records of U.S. District Courts; Record Group 22, Records of the Immigration and Naturalization Service; and Donated Materials, are available in the National Archives in *Microfilm Resources for Research: A Comprehensive Catalog of National Archives Microfilm Publications* (Washington, DC: National Archives Records Administration, 1999), which is available [online](#) or for [purchase](#).

- For detailed information about **research and locating** Federal, State, and local naturalization records and their availability on microfilm, consult:

Schaefer, Christine. *Guide to Naturalization Records of the United States* (Baltimore, MD: Genealogical Publishing Co., Inc., 1997).

Szucs, Loretto Dennis. *They Became Americans: Finding Naturalization Records and Ethnic Origins*. Salt Lake City, UT: Ancestry, 1998.

Telephone: 1-86-NARA-NARA or 1-866-272-6272

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