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## NATURALIZATION RECORDS OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA, CENTRAL DIVISION, LOS ANGELES, 1887-1940

### Introduction

On the 244 rolls of this microfilm publication, M1524, are reproduced the declarations of intention and naturalization petitions filed with the U.S. District Court for the Southern District of California, Central Division (Los Angeles), 1887-1940. These records are part of the Records of the District Courts of the United States, Record Group 21, and are housed in the National Archives-Pacific Southwest Region, Laguna Niguel, California.

### Background

The Constitution of the United States provided Congress with the authority "...to establish an uniform Rule of Naturalization..." (Art. 1, Sec. 8). To fulfill this responsibility, Congress passed the first naturalization act on March 26, 1790 (1 Stat. 103). The law allowed any free, white alien over the age of twenty-one to apply for citizenship after a residency of two years in the United States and one year in the State from which the individual was applying. The process of naturalization had to take place in "any common law court of record" that had a common law jurisdiction, a seal, a clerk, and a permanent record of its proceedings. The applicant had to prove to the satisfaction of this court that he or she was of good moral character, and take an oath of allegiance to the Constitution. The judge then ruled on the naturalization petition.

Feeling that it had set the standards for citizenship too low, on January 29, 1795, Congress repealed the 1790 act and passed a more stringent law (1 Stat. 414). Except for a brief period from 1798-1802, this law established the eligibility and procedural requirements that have since been the foundation of United States naturalization policy and legislation. The naturalization procedure was changed from a one-step to a two-step process, and required the alien to first file a "declaration of intention" (sometimes referred to as the "first paper") at least three years prior to entering a "petition for admission to citizenship" (also known as the "second" or "final paper"). The residency requirement was increased to five years in the United States and one year in the State or territory in which the court of application was located. Individuals had to surrender any titles of nobility they held and renounce in court their allegiance to any foreign prince.

An exception to the generally liberal 1795 naturalization process, the Alien and Sedition Act of 1798 (1 Stat. 566) accompanied a wave of xenophobia that arose in the United States during the undeclared naval war with France. The 1798 act increased the U.S. residency requirement to 14 years, including 5 years in the state where the court of petition was located. The length of time between the filing of the "declaration of intention" and the "final paper" was lengthened from three years to five. Court clerks were required to forward copies of the declaration of intention, reports of registry, and naturalization proceedings to the Secretary of State. Negative reaction to this law became so strong that on April 14, 1802, Congress finally supplanted it with a new naturalization act (2 Stat. 153). This act basically reestablished the provisions of the 1795 act but retained the 1798 registry which continued until 1828.

The act of 1802 was the last major change in naturalization law until 1906. During the intervening 104 years a number of minor revisions were made, including a reduction in the waiting period between filing the declaration of intention and the naturalization petition from three to two years, and the requirement that petitions attest that they were not anarchists. Most of the changes, however, merely altered or clarified details of evidence and certification without changing the basic nature of the admission procedure.

By the turn of the twentieth century, the steadily increasing number of immigrants entering the United States each year had increased the demands upon clerks of the courts, who did most of the work relating to naturalization. To relieve this burden and also to standardize naturalization procedures, Congress passed an act on June 29, 1906, which established a Bureau of Immigration and Naturalization (32 Stat. 596). The bureau was to "provide for a uniform rule for the naturalization of aliens throughout the United States," and, as part of this process, standardized application forms were established. A portion of the Immigration and Naturalization staff placed under the direction of the Department of Justice was made responsible for examining all citizenship petitions. Although the staff investigated and made recommendations about which applications should receive approval, the judge of the court where the applicant filed retained this ultimate decision about whether or not to grant citizenship.

In 1918 an act of Congress (40 Stat. 542) consolidated two previous acts that had waived the filing of declarations for aliens with honorable discharges from U.S. military service. The first was an 1862 act for the Army (12 Stat. 597) and the other was an 1894 act for the Navy and Marine Corps (28 Stat. 124). The new act allowed aliens with at least three years of military service to file for citizenship.

An act of September 22, 1922 (42 Stat. 1021), repealed an act of 1855 (10 Stat. 604) that had allowed alien wives of U.S. citizens to derive their citizenship from that of their husbands. Wives were now required to be naturalized in their own right. The residency requirement was reduced to one year and the declaration of intention was waived for alien wives of U.S. citizens. Section three of this act provided that "any woman citizen who marries an alien ineligible to citizenship shall cease to be a citizen." Section five stated that no woman whose husband was not eligible to become a citizen was to be naturalized during the marriage. An act of March 3, 1931 (46 Stat. 1522), repealed section five and amended section three so that citizenship would not be lost by a woman solely through her marriage.

American Indians were admitted to citizenship through treaty provisions and under special statutes. Prior to 1924, the most important law relating to Indian citizenship was the Allotment Act of February 8, 1887 (24 Stat. 387). This statute conferred citizenship on every Indian born in the United States to whom allotments were made by this act of any law or treaty. It also granted citizenship to every Indian born in the United States who voluntarily resided "separate and apart from any tribe of Indians" and "adopted the habits of civilized life." By the act of August 9, 1888 (25 Stat. 392), every Indian woman who married a U.S. citizen was declared to be a citizen. On June 2, 1924, Congress passed an act (43 Stat. 153) which declared that all Indians born in the United States were citizens.

In the first two decades of the twentieth century, public support for liberal immigration and naturalization policies began to turn to opposition. Congress responded with the passage of the Immigration Act of 1924 (43 Stat. 153), which put a ceiling on the number of immigrants allowed to enter the United States each year from countries outside the western hemisphere. Within this ceiling was established the "national origins quota" system. The total number of immigrants to be admitted each year was to be divided among eastern hemisphere countries in proportion to the number of people already in the United States from those countries. The 1890 census and later the 1920 one would be used as a basis for establishing the quotas. Census counts of blacks, East Asiatics, and American Indians were excluded from the quota

computations, which eliminated any further need for the courts to determine racial eligibility for citizenship.

Adjustments continued to be made in the quota system. The immigration and Nationality Act of 1952 (66 Stat. 162) established national quotas of not fewer than 100 persons annually from all countries previously denied a quota. In 1965 the Immigration and Nationality Act (79 Stat. 911) replaced national quotas with annual ceilings for the number of immigrants from both eastern and western hemispheres.

### Records Description

The naturalization records reproduced here were generated by the United States District Court for the Southern District of California. This court was created on September 18, 1850, about two weeks after California became a State, by the extension of the Federal Judiciary Act of 1850 (9 Stat. 521). The State was divided into two court districts until July 27, 1866, when Congress made California into a single district with the court to meet primarily at San Francisco (14 Stat. 300).

In 1886 California was again divided into two judicial districts with boundaries delineated by counties (24 Stat. 308). The Southern District encompassed the counties of Mariposa, Tulare, Fresno, Kern, San Luis Obispo, Santa Barbara, San Bernardino, Ventura, Los Angeles, and San Diego. On May 29, 1900, the Southern District was itself divided into Northern and Southern Divisions. The court that continued to meet and have its district office in Los Angeles was designated the Southern Division of the Southern District. The microfilmed records reflect the court's new jurisdiction of San Luis Obispo, Santa Barbara, San Bernardino, Venture, Los Angeles, and San Diego counties.

By an act of Congress on March 1, 1929, another division was added to the Southern District structure. Two counties, San Diego and Imperial, were removed from the jurisdiction of the Los Angeles court (now known as the Central Division) and placed under the new Southern Division court at San Diego.

The microfilmed naturalization records of the District Court meeting in Los Angeles consist of 56 volumes of declarations of intention and 188 volumes of naturalization petitions, covering the period 1887-1940. The declarations are arranged numerically and contain each declarer's name, address, birthplace, birth date, method and date of arrival in the United States, date of the petition, some declaration information, the Oath of Allegiance of the petition, affidavits of witnesses, oaths of sponsors, and the court order granting citizenship.

### Related Records

Several indexes to naturalization records were created by the District Court. These are also held by the National Archives-Pacific Southwest Region. The indexes include: four bound volumes for the period 1887-1927; naturalization index cards for the period 1915-1930; and naturalization index cards for the period 1930-1976. The bound volumes have been filmed and are reproduced as M1607, *Index to Naturalization Records of the United States District Court for the Southern District of California, Central Division (Los Angeles), 1887-1931*. The two card indexes consist of 3- x 5-inch cards, arranged alphabetically by surname, that contain declaration of intention number, petition number, date of naturalization, certificate number, and occasionally an alien registration number. The card indexes have been filmed and are reproduced as M1525, *Naturalization Index Cards of the United States District Court of the Southern District of California, Central Division (Los Angeles), 1915-1976*.

Indexes and naturalization records for two county superior courts in southern California are also in the

custody of the Pacific Southern Region. The indexes and records appear in the following microfilm publications: M1608, *Naturalization Index of the Superior Court of Los Angeles County, California, 1852-1915*; M1614, *Naturalization Records in the Superior Court of Los Angeles County, California, 1876-1915*; M1526, *Naturalization Index Cards of the Superior Court of San Diego County, California, 1929-1956*; M1609, *Index to Citizens Naturalized in the Superior Court of San Diego County, 1853-1956*; M1612, *Index to Declarations of Intention in the Superior Court of San Diego County, California, 1853-1956*; and M1613, *Naturalization Records in the Superior Court of San Diego County, 1883-1956*.

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240	68844-69282; 1/12/40-2/9/40
241	69283-69728; 2/9/40-2/22/40
242	69729-70262; 2/22/40-3/8/40
243	70263-70768; 3/8/40-4/12/40
244	70769-71250; 4/12/40-4/16/40