

# **Naturalization Records**

## **A Finding Aid**

**Livingston County Historian's Office**  
5 Murray Hill Dr.  
Mt. Morris, NY 14510  
March 2015

## I. Collection Summary

<b>Title</b>	Naturalization Records Series
<b>Extent</b>	10.5 cubic feet of records, 1 reel of 35mm microfilm
<b>Date Range</b>	1818-1956
<b>Abstract</b>	<p>This collection comprises records relating to immigration and naturalization in Livingston County, New York. The contents span from just prior to the formation of the Livingston County in 1821 until 1956. The collection includes original declarations of intention, naturalization orders, petitions, certificates of arrival, and naturalization certificates, and indexes to some of these records.</p>
<b>Languages</b>	English.
<b>Access and Restrictions</b>	<p>Use of the records in this collection is for serious research and by request and permission of the Livingston County Historian. Any use of the material in publications must be cited as follows, "Courtesy of Livingston County Historian's Office, New York". Additionally, all items must be handled with care.</p> <p>To arrange to conduct research with the documents in the collection, contact the Livingston County Historian by mail at: 5 Murray Hill Drive, Mount Morris, NY, by phone at (585) 243-7955, or by e-mail at <a href="mailto:Historian@livingstoncountyny.gov">Historian@livingstoncountyny.gov</a>.</p>
<b>Copyright</b>	There are no materials subject to copyright.

## II. Background Information

Before 1740, naturalization in the New York Colony was accomplished occasionally by special legislative acts or corresponding court proceedings. After 1740, a migrant could also swear an oath before a local magistrate after an individual had been living in the colony for seven years. Of course, those from England, Scotland, Ireland, and Wales were not considered foreigners, as they were subjects of the British crown. Until 1708, another option was *denization*, which granted limited rights to a foreigner.

Between 1777 and 1790, New York State was responsible for naturalizations under the New York State Constitution. By 1790, naturalizations were a federal matter, pursuant to the United States Constitution. Until 1906, naturalizations could be performed by any state or federal court of record, which included supreme, county, and some city courts, but not smaller city, town, or village courts. In Livingston County, a number of courts over the years could provide naturalizations. These include the Court of Common Pleas (before 1847), the Livingston County Court, Court of Chancery, Supreme Court, Rochester City Court, and Livingston County Surrogate's Court.

A migrant would first file a declaration of intention to become naturalized and to renounce all allegiance to a foreign sovereignty, and was eligible to become naturalized after a US residency requirement of five years. Three years after filing a declaration of intention, the applicant could file a petition with a court. Before 1906, many only performed the first step. Also previous to 1906, if a petition was accepted, it was recorded in the court's minute book and a certificate or order of naturalization was issued. After 1906, a separate petition form and naturalization certificate was completed and filed with the county clerk.

Beginning in 1906, only Supreme Courts could handle immigration. The process became standardized with more detailed forms, and the US Bureau of Immigration & Naturalization, later the Immigration & Naturalization Service (INS), was responsible for reviewing petitions. In Livingston County, this means declarations of intention, petitions, and certificates are all on file, whereas previous to this time the holdings are mainly declarations and naturalization orders.

From 1855 until 1922, women were automatically naturalized if a husband gained citizenship. Furthermore, a woman of foreign birth became a citizen upon her marriage to a native-born or naturalized man. After 1922, however, a married woman would have to seek citizenship independently. Children of immigrants automatically gain citizenship when their parents are naturalized.

The Expatriation Act, passed in 1907, meant that a woman born in the United States could lose her US citizenship upon marriage to a foreign man. Even when her husband applied for and gained his own citizenship, the woman would have to independently seek her citizenship again, following the bureaucratic channels as though she were foreign-born. This act was repealed in 1922, meaning women who married foreign men who were eligible for naturalization retained her nativity. However, women who were married during the time the act was in place were still subject to the process of regaining nativity. An amendment in 1940 made it possible for women still seeking repatriation to gain it regardless of their marital status, and paperwork was also reduced, but proof of residency as well as an oath still was required.

Various groups have faced laws barring their naturalization. These include people of African descent prior to 1870 and Asian immigrants during the late 19<sup>th</sup> through mid-20<sup>th</sup> century. Others, including military veterans, formerly enslaved Black Americans, and Native Americans, have been ushered in by expedited services and constitutional and federal amendments and statutes.

The majority of the materials in this collection are under the jurisdiction of the Livingston County Clerk and are managed for the public by the Livingston County Historian's Office. At the county level, only the county clerk is authorized to certify documents.

### **III. Contents List**

#### **Books and Ledgers**

Declarations of Intention, Court Records, 1818-1906  
Declarations of Intentions, 1853-1956  
Index, Declarations of Intention, 1835-1956  
Petitions (includes some certificates of arrival), 1907-1954  
Records of Naturalization, 1853-1906  
Certificates of Naturalization, 1908-1927  
Index, Naturalization of Aliens

#### **Microfilm**

Naturalization Petitions, Vols. 2-3, 1911-1922

#### **Other Records**

Certificate of citizenship for Charles Gilmore, 1876

#### IV. Related Materials

- Online Naturalization Records, New York State
  - [Livingston County Court of Common Pleas, 1821-1910](#)
  - [Livingston County Court of Oyer and Terminer, 1840-1841, 1859-1871](#)
  - [Ontario County court records and naturalizations, 1789-1821](#) - remember that anything dated after 1821, when Livingston County was formed, will be within the present-day boundary of Ontario County.
  - For naturalizations after 1954, [visit the US Citizenship and Immigration Services \(USCIS\) search page](#).
  - For copies of your own naturalization paperwork, [submit a FOIL request to the USCIS](#).
  
- Livingston County Records Management, Mt. Morris, NY  
Record books from Livingston County Court of Common Pleas, Livingston County Court, etc. These are also the jurisdiction of the Livingston County clerk.
  
- Naturalization Information, New York State Archives  
[http://www.archives.nysed.gov/a/research/res\\_topics\\_gen\\_naturalization.shtml](http://www.archives.nysed.gov/a/research/res_topics_gen_naturalization.shtml)
  
- Passenger Lists, National Archives  
<http://aad.archives.gov/aad/series-list.jsp?cat=GP44>
  
- Hacker, Meg. "When Saying 'I Do' Meant Giving Up Your U.S. Citizenship." *Genealogy Notes*. New York State Archives: 2014. [Link to article](#).