

Declaration of Intention - also called "First Papers"

Naturalization is the legal process by which immigrants applied for and achieved citizenship of the United States. As a citizen, they possessed all rights and privileges of American citizenship such as the ability to vote, full protection under the law, serve in various government offices, receive federal and state benefits.

The first step in the process is the "Declaration of Intention" whereby the applicant formally makes known the intent to fulfill the requirements to attain citizenship. Being the first step, these are also referred to as "First Papers". This is often indicated on census forms. The "Declaration" contains valuable genealogical information, though the time period of its submission will determine how much information is provided.

Congress established its first uniform rule of naturalization through the Naturalization Act of 1790. The Act provided that any free white person who resided within the limits and under the jurisdiction of the United States for at least two years could be granted citizenship if he or she showed good character and swore allegiance to the Constitution. The law also provided that the children of naturalized citizens under the age of twenty-one at the time of their parents' naturalization and who were residing in the United States would be considered U.S. citizens. The children of U.S. citizens who were born outside the United States were deemed U.S. citizens unless their fathers had never resided in the United States. Additionally, Congress delegated to the courts the power to administer the naturalization process.

In 1795, Congress amended the naturalization law by requiring an applicant to submit a Declaration of Intent to become a citizen at least three years before naturalization, and extended the minimum residence requirement to five years. Then, in 1798, Congress passed the Alien and Sedition Acts, which, among other things, lengthened the period in which to declare an intent to become a citizen to five years, lengthened the minimum residence requirement to fourteen years, and barred the naturalization of any alien from a country at war with the United States. In 1802, Congress repealed the previous laws and restored both the five-year residence requirement and the three-year declaration of intent period.

In the ensuing years, Congress continued to establish naturalization policies with varying conditions and restrictions. Despite these differences, naturalization laws uniformly required that an applicant prove residence in the United States for a specific time period before acquiring citizenship.

Filing a declaration of intention became voluntary with passage of the Immigration and Nationality Act of 1952.

A few key points for genealogical research.

- More "Declarations of Intention" were filed than "Petitions for Naturalization", which led to citizenship. Thus, be aware that the "Declaration of Intention" might be the only record to be found for some ancestors.
- Many immigrants never bothered to apply for citizenship; therefore, no "Declaration" is to be found.
- Declarations of intention could be filed at any time, which could be many years after immigration.
- The "Declaration of Intention" and "Petition for Naturalization" could be filed in different courts, in different counties and states, if the individual moved during the process.
- Many declarants filed more than one declaration which, again, could be in different jurisdictions.

SAMPLE – Following is a sample of the "Declaration of Intention", dated 7 November 1918.

No. 6044

UNITED STATES OF AMERICA

DECLARATION OF INTENTION

Invalid for all purposes seven years after the date hereof

THE STATE OF OHIO } In the COMMON PLEAS Court
MAHONING COUNTY } ss: of MAHONING COUNTY

I, William Kochansky, aged 34 years,
occupation Iron worker, do declare on oath that my personal
description is: Color White, complexion Fair, height 5 feet 10 inches,
weight 150 pounds, color of hair Brown, color of eyes Blue
other visible distinctive marks None

I was born in Narecz, Russia
on the 28th day of March, anno Domini 1884; I now reside
at 317 Jefferson St., Youngstown, Ohio

(Give number, street, city or town, and State)
I emigrated to the United States of America from Bremen, Germany
on the vessel Germania; my last
(If the alien arrived otherwise than by vessel, the character of conveyance or name of transportation company should be given)
foreign residence was Narecz, Russia; I am unmarried; the name
of my wife is Annie; she was born at Poland, Russia
and now resides at Youngstown, Ohio

It is my bona fide intention to renounce forever all allegiance and fidelity to any foreign
prince, potentate, state, or sovereignty, and particularly to The Present Government
of Russia, of whom I am now a subject;

I arrived at the port of Baltimore, in the
State of Maryland, on or about the 21st day
of September, anno Domini 1894; I am not an anarchist; I am not a
polygamist nor a believer in the practice of polygamy; and it is my intention in good faith
to become a citizen of the United States of America and to permanently reside therein:
SO HELP ME GOD.

William Kochansky
(Original signature of declarant)

Subscribed and sworn to before me in the office of the Clerk of
said Court this 7th day of November, anno Domini 1918

[SEAL]

J. ARTHUR FERRIS

Clerk of the Common Pleas Court.

By Irene Maiden, Deputy Clerk.