

Guide to the WI Chippewa County Circuit Court Naturalization Records, 1850-1963

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Summary Information

Title: Wisconsin. Circuit Court (Chippewa County): Naturalization Records

Inclusive Dates: 1850-1963

Creator: Wisconsin. Circuit Court (Chippewa County)

Call Number: Chippewa Series 35

Quantity: 11.0 c.f. (7 archives boxes, 3 flat boxes, 26 separate volumes) and 18 reels of microfilm (35mm)

Repository: Housed at the Area Research Center, William D. McIntyre Library, University of Wisconsin-Eau Claire; owned by the Wisconsin Historical Society, Library-Archives Division

Archival Locations: UW-Eau Claire McIntyre Library / Eau Claire Area Research Ctr.

Abstract: Records of naturalization proceedings in the Circuit Court of Chippewa County. Records include a card index and volume indexes to naturalizations (1854-1963); Declarations of Intention (1850-1959); Petitions (1870-1963); Naturalization Certificates (1871-1923); Depositions (1916, circa 1932-1942); Petitions Granted and Denied (1929-1963); and Applications to Take Oath of Allegiance (1938-1958).

Note: Reel 1-16 of this series was produced by the Genealogical Society of Utah in 1982 and 1999. The Genealogical Society of Utah holds the master negatives.

Language: English

Biography/History

Naturalization Process

Congress has the power to “establish a uniform rule of naturalization” under Section 8, Article 1 of the United States Constitution. Federal laws governing the admission of aliens to citizenship, adopted in 1790, replaced the earlier legislation of individual states. These statutes were revised in 1795 and

again in 1798, but it was the Naturalization Act of 1802 that established the three-part naturalization process, which remains in effect today. The alien must declare his or her intention to become a citizen, must serve a required residency period, and then must petition an authorized court for admission to citizenship. In character, this process is both judicial, occurring before and by order of a court, and administrative, being under the supervision of the U.S. Immigration and Naturalization Service of the Department of Labor.

The process begins with the alien filing a Declaration of Intention with an authorized court, indicating his or her intention to become a citizen, to renounce all allegiance to any foreign state, and to renounce any foreign title or order of nobility. At least two years after making the declaration (after 1906, no more than seven years later), an alien who has been a resident of the United States for at least five years could petition the court for admission to citizenship. (Since 1941, the requirement to file a Declaration of Intention has been abolished and the residency period shortened for the spouses of citizens.) The Petition includes both the applicant's oath and the affidavits of two witnesses who attest to the residency and good character of the petitioner. Finally, if the petition is accepted, the court issues an order admitting the individual to citizenship.

The naturalization process became more standardized with the establishment of the Immigration and Naturalization Service (INS) under the Basic Naturalization Act of 1906. The INS exercised federal supervision over the naturalization process and defined administrative procedures. Previously, naturalization could occur in any federal court or any state court of record and was carried out under the general requirements of federal law. Since October 1906, uniform and considerably more detailed requirements for naturalization, including the form and contents of related records, have been specified by federal statute and promulgated by the INS. Further modifications were made under the Nationality Act of 1940 and the Immigration and Nationality Act of 1952. Through these revisions, however, the three-step formula for naturalization has remained basically unchanged.

Since the mid-1950s, the number of courts authorized to perform naturalizations has been reduced. In Wisconsin, naturalization currently occurs only in the two federal district courts and in seven selected circuit courts.

Naturalization Records

Records documenting the naturalization process fall into five categories: Declarations of Intention, Petitions, Naturalization Certificates, ancillary documents, and indexes. The Clerk of Circuit Court is responsible for maintaining the records. They may exist either as original documents, filed separately or bound together, or as copies of the originals entered onto pre-printed forms in bound volumes. Additionally, they may be preserved in their original form, on microfilm, or in both formats.

Researchers using naturalization records will find relatively few early entries for women. From 1855 until the passage of the Married Woman's Act in 1922, citizenship was automatically conferred on the wife of any male citizen. Since then, women have been required to be naturalized in their own right.

Researchers should also note that about 25 percent of aliens filed only the declaration to become a citizen and never completed the entire three-step process. Many people filed only a Declaration of Intention because, according to the Wisconsin Constitution, it was all they needed in order to vote.

Naturalization records for Wisconsinites who became naturalized through the federal courts are available at the National Archives and Records Administration Regional Center in Chicago.

Declarations of Intention to Become a Citizen

Declarations of Intention (also known as “first papers”) document the first step in the naturalization process. The Declaration consists of an oath asserting the petitioner's intent to become a citizen, to support the constitution, and to renounce foreign allegiance and hereditary titles. The pre-printed forms used to record Declarations prior to 1907 vary with the designs used by the different stationery companies printing such forms. In content, however, they are generally similar from court to court and from year to year during this period, though some variations do occur. The name of the applicant, the foreign ruler whose allegiance is being renounced, and the date are always shown. Declarations also typically include some or all of the following information about the applicant: age or birth date, place of birth, and date and place of entry into the United States.

Following federalization of the citizenship process in October 1906, standardized Immigration and Naturalization Service forms were adopted for general use. While the basic format of the Declaration remained the same, significantly more information about the petitioner was included. The revised form provided name, age, occupation, color, complexion, height, weight, color of hair and eyes, visible distinctive marks, place and date of birth, current residence, place of departure for the United States, name of vessel or type of conveyance, place and date of arrival in the United States and last foreign residence. The petitioner's photograph was affixed to his or her copy of the Declaration and to the copy forwarded to the INS. No photograph will be found on the copy of the Declaration retained by the local court. However, a photograph often will appear with the Petition since the applicant was required to submit his or her copy of the Declaration when filing a Petition. Additional information was added to the Declaration in later years. In 1916, marital status and the spouse's name and residence were added, and in 1918 the spouse's place of birth was added. 1929 additions included the petitioner's address and nationality; the name, date of birth, place of birth, and the current residence of the petitioner's children; the spouse's birth date and his/her place and date of entry into the United States; and the place and date of marriage.

Petitions

Petitions (sometimes called Petitions and Oaths or Petitions and Records and commonly called “second papers”) document the second step in the naturalization process. After serving the required period of residency, the applicant petitioned the court for admission to citizenship. The court then issued a naturalization certificate.

The Petition consists of the applicant's petition to the court and oath of allegiance, and affidavits of two witnesses attesting to the petitioner's good character and residency for the required time. **The Petition may also include the order of the court admitting the applicant to citizenship, especially for records filed after 1902.** As with the Declarations of Intention, the exact content of Petitions filed prior to October 1906 varies from court to court and from year to year. Nonetheless, the name and oath of allegiance of the petitioner, date of the petition, names of the witnesses, and the sovereignty renounced always appear. In addition, some or all of the following may also be included: age or birth date, port and date of entry into the United States, and date and place of filing the Declaration of Intention.

After 1906, the INS adopted new petition forms for general use. The new forms contained the following information: petitioner's name; residence; occupation; date and place of birth; date and place

of emigration; date, place, and vessel or other conveyance of entry into the United States; period of residency; place, date, and name of court where the Declaration of Intention was made; marital status; spouse's name, birth date, and place of residency; and the names, dates of birth, places of birth, and residency of the petitioner's children.

Additional information was added to the petition forms after 1906. In 1910, the court order was altered to show denials of admission or continuations granted in the proceedings. The size of the form was greatly reduced in 1929. The information remained the same except that the place and date of the applicant's marriage was added, and the court order section was deleted and transferred to a separate document. In 1942, a record of departures from and returns to the United States was added. The witness' affidavits were revised to include their names, occupations, and places of residence. The date that citizenship was granted was added to the court order. At the time of naturalization, a petitioner was permitted to change his/her name, which was documented in the court order. Copies of the Declaration of Intention and the Certificate of Arrival were often attached to the Petition.

Naturalization Certificates

Naturalization Certificates, often called third papers, were issued to newly naturalized citizens as evidence of their status. Before 1907, standardized forms were not used and few courts retained copies of the certificates. Surviving copies are pre-printed forms in bound volumes. Typically, they repeat most of the information found in the Petition. After September 1906, the INS issued serially numbered two-part certificates. One copy went to the new citizen, the second to the INS. The local Clerk of Circuit Court retained only the Certificate Stub Books from which the certificates were separated. The stub books record name; certificate number; date; name of issuing court; number of the Declaration; volume and number of the Petition; date of the court order; and the names, ages, and places of residence of the spouse and minor children.

Ancillary Documents

Other documents are sometimes found with the naturalization records. Orders Granting and Denying Citizenship are the official orders of the Court conferring or denying citizenship. The Orders list name, any change of name, and the petition number for each individual. Orders may be accompanied by the Naturalization Petitions Recommended to be Granted which show the recommendations of the Immigration and Naturalization Service hearing officer.

Two witnesses are required to attest to the residency and character of the petitioner. When the petitioner lived outside the state in which application is being made during part of the required period of residency, two additional witnesses from the place of previous residency are also required to testify. In these cases, naturalization examiners in other states are empowered to take written Interrogatories or Depositions of Witnesses from those additional witnesses. These are then submitted to the court as part of the Petition.

Under the Repatriation Act of 1934, any woman who had or who believed she had lost her citizenship (as a result of the enactment of the Married Woman's Act) by virtue of her marriage to an alien prior to September 1922 and whose marriage with that alien had since terminated or who had lived continuously in the United States since her marriage was entitled to claim citizenship by submitting the Application to Take Oath of Allegiance (also called Repatriation Record). The application lists her name,

place and date of birth, date of marriage, spouse's name, and the date of the termination of her marriage or continuous residency. An oath of allegiance is also included.

In addition to these types of documents, Transfers of Petitions [from other courts] and Certificates of Loyalty occasionally appear with the naturalization records.

Indexes

The indexes to naturalization records vary greatly from county to county. Researchers should review the specific description of the indexes for each county. Three different types of indexes are usually found: card indexes, usually on 3 x 5 cards; bound indexes, often with separate volumes for Declarations and Petitions; and indexes in the front of bound volumes of naturalization documents. Except for card indexes, these were usually not created in exact alphabetical order. A typical arrangement is the grouping names together alphabetically by the first letter of the last name and then listing them chronologically in the order that the declaration or petition was filed. For example, all names beginning with the letter "B" would be listed together, though they might appear in the sequence of Brown, Bates, Burford, Bost and Barumif, since that was the order in which they filed their applications. Other arrangements may group the names somewhat more closely but still not completely in alphabetical order. All names beginning with a common first letter and first vowel might be grouped together. Thus, "Bates" and "Barnes" would appear together. Researchers should review the specific description of the indexes for each county. Three different types of indexes are usually found: card indexes, usually on 3 x 5 cards; bound indexes, often with separate volumes for Declarations and Petitions; and indexes in the front of bound volumes of naturalization documents. Except for card indexes, these were usually not created in exact alphabetical order. A typical arrangement is the grouping names together alphabetically by the first letter of the last name and then listing them chronologically in the order that the declaration or petition was filed. For example, all names beginning with the letter "B" would be listed together, though they might appear in the sequence of Brown, Bates, Burford, Bost and Barumif, since that was the order in which they filed their applications. Other arrangements may group the names somewhat more closely but still not completely in alphabetical order. All names beginning with a common first letter and first vowel might be grouped together. Thus, "Bates" and "Barnes" would appear together in one group and "Bost" and "Boswick" in another. Beyond this, few generalizations may be made about the form or content of naturalization indexes.

Scope and Content Note

The Chippewa County Naturalization Records consist of Declarations of Intention, Petitions, Naturalization Certificates, various volume indexes and a card index to these records; Depositions [of Witnesses], Petitions Granted and Denied, and Applications to Take the Oath of Allegiance.

The original system of identifying volumes by number or letter was retained because the indexes are often keyed to this system. To eliminate confusion when requesting a particular volume, the researcher should specify not only the volume number, but also the type of volume and dates.

For preservation purposes some volumes have been dismantled and placed in boxes. For these volumes the contents list below gives the volume number in parentheses () for identification purposes, and the box number for location purposes.

Researchers should begin by using the CARD INDEX, circa 1854-1963. The index consists of cards created by the Clerk of Courts office (pre-printed "Immigration and Naturalization Service") and cards created as a volunteer project by members of the Chippewa County Genealogical Society. The cards were loaned to the State Historical Society for filming by the Genealogical Society of Utah, therefore they are available on microfilm only. The originals are at the Chippewa County Genealogical Society.

Arranged alphabetically by surname, they index Declarations, circa 1854-1906, all petitions and all certificates. Each card references all documents (except ancillary documents) pertaining to that person. However, they do not specifically list post-1906 declarations volumes because a copy of the declaration can be found attached to the petition. An entry giving a file followed by a year (e.g. "File 1874") refers to a petition filed between 1870-1906. These petitions are arranged by year and thereunder alphabetically.

The INDEX TO DECLARATIONS, 1856-1872, is arranged in alphabetical segments by the first letter of the individual's last name and gives the date, volume, and page number for declarations in Volumes A and B. The INDEX TO DECLARATIONS, 1854-1888, is arranged in alphabetical segments by the first letter of the last name, but not chronological thereunder. It indexes Volumes A through E of Declarations, duplicating information in the 1856-1872 index, but covers a wider span of time. The INDEX TO CITIZENSHIP, 1868-1915, contains entries for individuals filing petitions after 1906. It lists the date and place of declaration, the date the petition was filed, and the date citizenship was granted.

The DECLARATIONS OF INTENTION date 1850-1959, and are arranged chronologically by date filed. Note that a small number of declarations pre-date the indexes. If the researcher is looking for records, 1850-circa 1855, go directly to Box 1 or Reel 8. Each volume of Declarations except A through D contain a name index.

PETITIONS date 1870-1963. Pre-1906 petitions are arranged by year and thereunder alphabetically by last name, while post-1906 petitions are arranged by filing date and assigned a unique number. Beginning approximately October 1906, a copy of the Declaration was often attached to the Petition. Each volume contains a name index.

CERTIFICATES date 1871-1923, and are in the form of certificates in bound volumes for 1871- 1906, and certificate stub books, 1907-1923. The pre-1906 certificates are arranged by date filed and the post-1906 certificate stubs are arranged by certificate number which is usually chronological. Volumes contain an internal name index, except for Volume 4A. Certificate volumes were erroneously filmed twice. Volumes 1A - 4A appear on reels 4 and 4A and were re-filmed on reels 13 and 14.

ANCILLARY RECORDS include Depositions [of Witnesses], 1916 and circa 1932-1942, Petitions Granted and Denied, 1929-1963, and Applications to Take [the] Oath of Allegiance, 1938-1958. Documents within each type of record are arranged chronologically by the date filed. Of these ancillary records, only the Oaths of Allegiance include a name index.

Search Terms/Subject Terms

- Naturalization—Wisconsin—Chippewa County

Contents List

	Indexes, 1954-1963
	Card Index, circa 1854-1963
Reel 5	A-Germaine
Reel 6	Germaine-McMartin
Reel 7	McMartin-Stise
Reel 8	Stise-Z
Reel/Volume 1/1	Index to Declarations, 1854-1888
Reel/Volume 8/2	Index to Declarations (A 8 B), 1856-1872
Reel/Volume 1/3	Index to Citizenship, 1868-1915
	Declarations of Intention, 1850-1959
Box/Reel 1/8	1850, November-circa 1855
Volume/Reel A/2	1856, February-1869, April
Volume/Reel B/2	1868, September-1874, April
Volume/Reel C&D/2	1874, May-1883, July
Volume/Reel E/3	1883, August-1888, October
Volume/Reel F/3- 4	1888, October-1906, March
Volume/Reel G/4	1904, October-1906, September
Volume/Reel H/8	1906, October-1908, October (#1-100)
Volume/Reel I/8	1908, October-1916, March (#101-400)
Volume/Reel J/8	1916, March-1927, June (#401-900)
Volume/Reel 3/15	1927, July-1929, June (#901-945)
Volume 1 in Box 1 Reel 9	1929, August-1937, April (#946-1045)
Volume 2 in Box 1 Reel 9	1937, April-1940, October (#1046-1145)
Volume 3 in Box 1 Reel 9	1940, October-1959, January (#1146-1209)
	Petitions, 1870-1963
	1870-1906
Box 2	1870, 1874-1880
Box 3	1881-1891
Box 4	1892-1902
Box 5	1903-1906
	1906

Box/Reel 6/15	A-Mc
Box/Reel 7/15	Ma-Po
Box/Reel 8/16	Pr-Z
Volume/Reel 1/9	1906, October-1909, January (#1-50)
Volume/Reel 2/9	1909, October-1911, April (#51-150)
Volume/Reel 3/9-10	1911, April-1912, August (#151-250)
Volume/Reel 4/10	1912, August-1915, September (#251-500)
Volume/Reel 5/10-11	1915, October-1921, March (#501-750)
Volume/Reel 6/11-12	1921, March-1929, June (#751-924)
Volume 7 in Box 1 Reel 12	1930, March-1934, May (#925-974)
Volume 8 in Box 1 Reel 12	1934, July-1937, May (#975-1024)
Volume 9 in Box 1 Reel 12	1937, May-1938, April (#1025-1074)
Volume 10 in Box 1 Reel 12	1938, April-1940, March (#1075-1124)
Volume 11 in Box 9 Reel 12	1940, March-1942, April (#1125-1174)
Volume 12 in Box 9 Reel 12-13	1941, September-1944, April (#1175-1274)
Volume 13 in Box 9 Reel 13	1944, August-1951, May (#1275-1330)
Volume 14 in Box 9 Reel 17	1952, May-1958, April (#1331-1415)
Volume/Reel 15 in Box 9 Reel 17	1959, May-1963, April (#1416-1475)
	Naturalization certificates, 1871-1923
Volume/Reel 1A/4&13	1871, September-1882, February
Volume/Reel 2A/4&13	1871, September-1871, December
Volume/Reel	

3A/4&13	1882, February-1900, October
Volume/Reel 4A/4&13	1900, October-1906, September
Volume/Reel 5A/4A&13	1903, October-1906, September
Volume/Reel 6A/4A&13-14	1906, September-??
Box/Reel 10/17	Certificate stub books, 1907, May-1923, May Volume/Reel(Certificate #16831-1842050)
	Ancillary records, 1929-1963
Box/Reel 10/14	Depositions, 1916, circa 1932-1942
Box/Reel 9/14	Petitions Granted and Denied, 1929-1963
Box/Reel 9/14	Applications to Take Oath of Allegiance, 1938- 1958