

Guide to the WI Clark County Circuit Court Naturalization Records, 1857-1955

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Summary Information

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

Inclusive Dates: 1857-1955

Creator: Wisconsin. Circuit Court (Clark County)

Call Number: Clark Series 13

Quantity: 6.4 c.f. (7 archives boxes, 1 flat box, 15 separate volumes) and 10 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 Clark County, Wisconsin. Records include indexes to Petitions (1860-1903 and 1860-1955) and Declarations (1857-1906); Declarations of Intention (1892-1951); Petitions (1895-1954); Certificate Stub Books (1907-1927); Repatriations (1940-1949); and an Order Book (1929-1954).

Note: Reels 1-8 and 10 of this series were produced in 1997 and 2005 by the Genealogical Society of Utah which 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

General

The Clark County Naturalization Records, 1857-1955, consist of indexes to Petitions and Declarations, Declarations of Intention, Petitions, Certificate Stub Books, Repatriation Forms, and an Order Book.

The original system of numbering volumes was retained because the indexes are often keyed to

this system. For preservation purposes some volumes have been dismantled and placed in boxes. For these volumes, the Container List gives the volume number in parentheses () for identification purposes, and the box, folder number and reel number for location purposes. Volume numbers that appear in brackets [] are numbers that were assigned by the archivist.

Records

Researchers should begin by using the INDEX TO PETITIONS, 1860–1955 (pages titled “Lien Docket”). It is the most comprehensive of the indexes. Arranged by the first letter of the applicant's name and thereunder by volume, the index refers to petitions filed after 1895 (volumes 1/2, 2, and 1–17). Researchers should be aware that although the index refers to pre-1895 petitions in volume 1/2, there actually are no pre-1895 petitions in volume 1/2. The index gives the volume and “page number,” which is actually the document number, for petitions in volumes 2 and 1–7. Find the petition according to the document number because the volume number is not always accurate. Entries pointing to petition volumes 8–17 give the volume and petition number (no page number). The index also notes the date of the petition.

The INDEX TO PETITIONS, 1860–1903 (labeled “Index to Admissions”) duplicates the information found in the above Index to Petitions. It can be a secondary source if the researcher is unable to locate petitions from the more comprehensive index.

The INDEX TO DECLARATIONS OF INTENTION, 1857–1906, is arranged in alphabetical segments by the first letter of the last name and chronologically thereunder. It gives the date the Declaration was filed. The State Historical Society does not have the Declarations from 1857–1891 that this volume refers to, and only a portion of the 1892–1906 Declarations (Box 8).

The DECLARATIONS OF INTENTION, 1892–1906 (Box 8) are arranged alphabetically by last name. DECLARATIONS, 1907–1951, are arranged chronologically by date filed.

Each volume contains a name index.

PETITIONS date 1895–1954 and are arranged chronologically by date filed. There are two numbering sequences of petition volumes. The Clerk of Courts office began numbering the volumes with “Volume 1/2” and then “Volume 2,” and then started a strict numerical sequence beginning with “Volume 1.” Each volume contains a name index. Beginning approximately October 1906, a copy of the Declaration was often attached to the Petition. The Petitions from 1905–1906 (Box 8) were fugitive documents found in the courthouse years after the initial transfer to the Historical Society. They are arranged alphabetically and are only for individuals whose last name begins with the letter “P”. Volume 17 also contains a small amount of correspondence regarding several hearings that were pending in 1955 when the Clark County Circuit Court stopped hearing naturalization cases.

CERTIFICATE STUB BOOKS date 1907–1927 and consist of the certificate stub retained by the circuit court. The arrangement is chronological. A complete certificate can be obtained from the federal Immigration and Naturalization Service.

ANCILLARY RECORDS include Repatriations (also called Application to Take Oath of Allegiance), 1940–1949; and an Order Book containing Orders Granting and Denying Petitions, 1929–1954. Neither volume contains a name index.

Administrative/Restriction Information

Processing Information

Processed by Virginia Fritsch and Jennifer York, 1996 and 2006.

Search Terms/Subject Terms

Naturalization—Wisconsin—Clark County

Contents List

Series: Indexes, 1857-1955

Box 2 Reel Index to Declarations of Intention, 1857-1906
1 (volume labeled "Record of Declarations")

Box 2 Reel Index to Petitions, 1860-1903 (volume labeled
1 "Index to Admissions")

Index to Petitions, 1860-1955 (pages titled
"Index to Lein Docket")

Box 2 Reel **Note:** The order of items on reel #1 is as
1 follows: Index to Declarations of Intention, 1857-
1906; Index to Petitions, 1860-1903; Petitions,
volume 1/2; Petitions, volume 2; and Index to
Petitions, 1860-1955.

Series: Declarations of Intention, 1892- 1951

Box 8 Reel
10 1892-1906

Volume 1 1907 November-1911 August (#1-100)
Reel 2

Volume 2 1911 September-1914 March (#101-198)
Reel 2

Volume 3 1914 March-1918 June (#199-498)
Reel 2

Volume 4 1918 June-1923 November (#499-792)
Reel 2

Volume 5 1923 November-1929 June (#793-1005)
Reel 2

Volume (6), 1929 August-1936 September (#1006-1105)
in Box 1 Reel
2

Volume (7), 1936 September-1940 August (#1106-1205)
in Box 1 Reel
2

Volume (8), 1940 August-1951 November (#1206-1312)
in Box 1 Reel
3

Series: Petitions for Naturalization, 1895-1954

Box 8 Reel
10 1905-1906

1895 April-1903 August (volume titled
"Certificates of Naturalization")

Volume 1/2
Reel 1 **Note:** The order of items on reel #1 is as follows: Index to Declarations of Intention, 1857-1906; Index to Petitions, 1860-1903; Petitions, volume 1/2; Petitions, volume 2; and Index to Petitions, 1860-1955.

1903 October-1906 July

Note: The order of items on reel #1 is as follows: Index to Declarations of Intention, 1857-1906; Index to Petitions, 1860-1903; Petitions, volume ½; Petitions, volume 2; and Index to Petitions, 1860-1955

Volume 2
Reel 1

Volume (1),
in Box 2 Reel
3

Volume 2
Reel 3

Volume 3
Reel 3-4

Volume 4
Reel 4-5

Volume 5
Reel 5-6

Volume 6
Reel 6-7

Volume 7
Reel 7

Volume (8),
in Box 3 Reel
7

Volume (9),
in Box 3 Reel
7

Volume
(10), in Box 3 1936 August-1938 March (#1257-1306)
Reel 7

Volume
(11), in Box 3 1938 March-1939 March (#1307-1357)
Reel 7

Volume
(12), in Box 3 1939 March-1940 June (#1358-1407)
Reel 7

Volume
(13), in Box 3 1940 June-1941 May (#1408-1457)
Reel 7, 8

Volume
(14), in Box 3 1941 May-1942 March (#1458-1507)
Reel 8

Volume
(15), in Box 4 1942 March-1942 November (#1508-1557)
Reel 8

Volume
(16), in Box 4 1942 November-1950 October (#1558-1607)
Reel 8

Volume
(17), in Box 4 1951 June-1954 August (#1639-1656)
Reel 9

Series: Certificate Stub Books, 1907-1927

Volume (1),
in Box 5 Reel 1907 April-1908 April (#21411-21420)
8

Volume (2),
in Box 5 Reel 1908 April-1909 April (#29521-295)
8

Volume (3),
in Box 5 Reel 1909 November (#105381-105390)
8

Volume (4),
in Box 5 Reel 1910 April-1910 November (#124271-124280)
8

Volume (5),
in Box 5 Reel 1910 November-1911 May (#167001-167025)
8

Volume (6),
in Box 5 Reel 1911 November (#138561-138570)
8

Volume (7),
in Box 5 Reel 1912 April-1912 November (#247851-247900)
8

Volume (8),
in Box 5 Reel 1912 November-1913 April (#297551-297600)
8

Volume (9),
in Box 5 Reel 1913 April-1913 November (#370151-370200)
8

Volume
(10), in Box 5 1913 November-1914 September (#43050-
Reel 8 430550)

Volume
(11), in Box 5 1914 September-1915 November (#430551-
Reel 8 430600)

Volume
(12), in Box 5 1915 November-1916 November (#535301-
Reel 8 535350)

Volume
(13), in Box 6 1916 November-1918 May (#535351-535400)
Reel 8

Volume
(14), in Box 6 1918 January-1919 May (#711451-711500)
Reel 8

Volume
(15), in Box 6 1919 May-1920 May (#711501-711550)
Reel 8

Volume
(16), in Box 6 1920 May-1921 May (#1376201-1376250)
Reel 8

Volume
(17), in Box 6 1921 May-1921 November (#1376251-1376300)
Reel 8

Volume
(18), in Box 6 1921 November (#1571701-1571750)
Reel 8

Volume 1921 November-1922 November
(19), in Box 7 (#1571751-1571800)
Reel 8

Volume
(20), in Box 7 1922 November-1923 August (#1734801-
Reel 8 1734850)

Volume
(21), in Box 7 1923 August-1924 September (#1734851-
Reel 8 1734900)

Volume 1924 September-1925 November
(22), in Box 7 (#2107601-2107650)
Reel 8

Volume 1925, November-1927, May (#2107651-2107700)
(23), in Box 7
Reel 8

Series: Ancillary Documents, 1929-1954

Box 7 Reel 8 Repatriations, 1940 December 14-1949 June 21
8

Box 7 Reel 8 Order Book, 1929 November 19-1954 June 15
8