

STATUTE II.

Jan. 29, 1795.

[Obsolete.]

Augmentation of bounty rendered more general.

1795, ch. 9.

CHAP. XIX.—*An Act in addition to the act entitled "An act to regulate the pay of the non-commissioned officers, musicians and privates of the Militia of the United States, when called into actual service, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the augmentation of bounty authorized by the fifth section of the act, entitled "An act to regulate the pay of the non-commissioned officers, musicians and privates of the militia of the United States, when called into actual service, and for other purposes," shall be allowed and paid to such recruits as shall have enlisted after the passing of the said act, or as shall hereafter enlist, in like manner as is by the said act provided in cases of enlistment after the first day of January next.

APPROVED, January 29, 1795.

STATUTE II.

Jan. 29, 1795.

Act of March 26, 1790, ch. 3.

Repealed by Act of April 14, 1802, ch. 28.

How an alien may become a citizen.

To express his desire of becoming a citizen, and to renounce his former allegiance.

To have certain residence.

To be sworn or affirmed to support the constitution.

To renounce former allegiance.

Court to be satisfied of certain things.

To renounce title, &c.

CHAP. XX.—*An Act to establish an uniform rule of Naturalization; and to repeal the act heretofore passed on that subject.*(a)

FOR carrying into complete effect, the power given by the constitution, to establish an uniform rule of naturalization throughout the United States:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them, on the following conditions, and not otherwise:—

First. He shall have declared on oath or affirmation, before the supreme, superior, district or circuit court of some one of the states, or of the territories northwest or south of the river Ohio, or a circuit or district court of the United States, three years, at least, before his admission, that it was bona fide, his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly, by name, the prince, potentate, state or sovereignty whereof such alien may, at the time, be a citizen or subject.

Secondly. He shall, at the time of his application to be admitted, declare on oath or affirmation, before some one of the courts aforesaid, that he has resided within the United States, five years at least, and within the state or territory, where such court is at the time held, one year at least; that he will support the constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly by name, the prince, potentate, state or sovereignty, whereof he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court.

Thirdly. The court admitting such alien, shall be satisfied that he has resided within the limits and under the jurisdiction of the United States five years; and it shall further appear to their satisfaction, that during that time, he has behaved as a man of a good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order and happiness of the same.

Fourthly. In case the alien applying to be admitted to citizenship shall have borne any hereditary title, or been of any of the orders of nobility, in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility, in the court to which his application shall be made; which renunciation shall be recorded in the said court.

(a) See note to act of March 26, 1790, chap. 3.

SEC. 2. *Provided always, and be it further enacted,* That any alien now residing within the limits and under the jurisdiction of the United States, may be admitted to become a citizen, on his declaring on oath or affirmation, in some one of the courts aforesaid, that he has resided two years, at least, within and under the jurisdiction of the same, and one year, at least, within the state or territory where such court is at the time held; that he will support the constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly by name, the prince, potentate, state or sovereignty, whereof he was before a citizen or subject; and moreover on its appearing to the satisfaction of the court, that during the said term of two years, he has behaved as a man of good moral character, attached to the constitution of the United States, and well disposed to the good order and happiness of the same; and, where the alien applying for admission to citizenship, shall have borne any hereditary title, or been of any of the orders of nobility in the kingdom or state from which he came, on his moreover making in the court an express renunciation of his title or order of nobility, before he shall be entitled to such admission; all of which proceedings, required in this proviso to be performed in the court, shall be recorded by the clerk thereof.

How an alien now resident in the U. States shall become a citizen.

SEC. 3. *And be it further enacted,* That the children of persons duly naturalized, dwelling within the United States, and being under the age of twenty-one years, at the time of such naturalization; and the children of citizens of the United States, born out of the limits and jurisdiction of the United States, shall be considered as citizens of the United States: *Provided,* That the right of citizenship shall not descend to persons, whose fathers have never been resident in the United States: *Provided also,* That no person heretofore proscribed by any state, or who has been legally convicted of having joined the army of Great Britain, during the late war, shall be admitted a citizen as aforesaid, without the consent of the legislature of the state, in which such person was proscribed.

How children shall obtain citizenship through their parents.

SEC. 4. *And be it further enacted,* That the act intitled "An act to establish an uniform rule of naturalization," passed the twenty-sixth day of March, one thousand seven hundred and ninety, be, and the same is hereby repealed.

Former act repealed. 1790, ch. 3.

APPROVED, January 29, 1795.

STATUTE II.

CHAP. XXI.—*An Act to amend the act intitled "An act making alterations in the Treasury and War departments."*(a)

Feb. 13, 1795.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of vacancy in the office of Secretary of State, Secretary of the Treasury, or of the Secretary of the department of War, or of any officer of either of the said departments, whose appointment is not in the head thereof, whereby they cannot perform the duties of their said respective offices; it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize any person or persons, at his discretion, to perform the duties of the said respective offices, until a successor be appointed, or such vacancy be filled: *Provided,* That no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months.

Act of May 8, 1792, ch. 37. [Obsolete.] In case of vacancy in the departments, President to fill them.

Proviso.

APPROVED, February 13, 1795.

(a) See note to act of May 8, 1792, chap. 37.