# CHAPTER 39.

An Act for amending the Law in certain cases in relation to Naturalization. [25th July 1872.]

WHEREAS by a Convention between Her Majesty and the United States of America, supplementary to the Convention of the thirteenth day of May one thousand eight hundred and seventy, respecting naturalization, and signed at Washington on the twenty-third day of February one thousand eight hundred and seventy-one, and a copy of which is contained in the schedule to this Act, provision is made in relation to the renunciation by the citizens and subjects therein mentioned of naturalization or nationality in the presence of the officers therein mentioned:

And whereas doubts are entertained whether such provisions are altogether in accordance with the Naturalization Act, 1870: And whereas other doubts have arisen with respect to the effect of "The Naturalization Act, 1870," on the rights of women married before the passing of that Act; and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the Naturaliza-Short title. tion Act, 1872, and this Act and "The Naturalization Act, 1870," may be cited together as "The Naturalization Acts, 1870 and 1872."

2. Any renunciation of naturalization or of nationality Confirmation made in manner provided by the said supplementary Con- of renunciation of nationality vention by the persons and under the circumstances in the under the Consaid Convention in that behalf mentioned shall be valid to vention. all intents, and shall be deemed to be authorised by the said Naturalization Act, 1870. This section shall be deemed to take effect from the date at which the said supplementary Convention took effect.

3. Nothing contained in "The Naturalization Act, 1870," Saving clause shall deprive any married woman of any estate or interest of married in real or personal property to which she may have become women. entitled previously to the passing of that Act, or affect such estate or interest to her prejudice.

## SCHEDULE.

Convention between Her Majesty and the United States of America, supplementary to the Convention of May 13, 1870, respecting Naturalization.

Signed at Washington, 23d February 1871.

[Ratifications exchanged at Washington, May 4, 1871.]

Whereas by the second article of the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of America for regulating the citizenship of subjects and citizens of the contracting parties who have emigrated or may emigrate from the dominions of the one to those of the other party, signed at London, on the 13th of May 1870, it was stipulated that the manner in which the renunciation by such subjects and citizens of their naturalization, and the resumption of their native allegiance, may be made and publicly declared, should be agreed upon by the governments of the respective countries; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the President of the United States of America, for the purpose of effecting such agreement, have resolved to conclude a supplemental Convention, and have named as their plenipotentiaries, that is to say; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Edward Thornton, Knight Commander of the Most Honourable Order of the Bath, and Her Envoy Extraordinary and Minister Plenipotentiary to the United States of America; and the President of the United States of America, Hamilton Fish, Secretary of State; who have agreed as follows:

#### ARTICLE I.

Any person being originally a citizen of the United States who had, previously to May 13, 1870, been naturalized as a British subject, may at any time before August 10, 1872, and any British subject who, at the date first aforesaid, had been naturalized as a citizen within the United States, may at any time before May 12, 1872, publicly declare his renunciation of such naturalization by subscribing an instrument in writing, substantially in the form hereunto appended, and designated as Annex A.

Such renunciation by an original citizen of the United States, of British nationality, shall, within the territories and jurisdiction of the United States, be made in duplicate, in the presence of any court authorized by law for the time being to admit aliens to naturalization, or before the clerk or prothonotary of any such court: if the declarant be beyond the territories of the United States, it shall be made in duplicate, before any diplomatic or consular officer of the United States. One of such duplicates shall remain of record in the custody of the court or officer in whose presence it was made; the other shall be, without delay, transmitted to the department of State.

Such renunciation, if declared by an original British subject, of his acquired nationality as a citizen of the United States, shall, if the declarant be in the United Kingdom of Great Britain and Ireland, be made in duplicate, in the presence of a justice of the peace; if elsewhere in Her Britannic Majesty's dominions, in triplicate, in the presence of any judge of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorised by law, in the place in which the declarant is, to administer an oath for any judicial or other legal purpose; if out of Her Majesty's dominions, in triplicate, in the presence of any officer in the diplomatic or consular service of Her Majesty.

### ARTICLE II.

The contracting parties hereby engage to communicate each to the other, from time to time, lists of the persons who, within their respective dominions and territories, or before their diplomatic and consular officers, have declared their renunciation of naturalization, with the dates and places of making such declarations, and such information as to the abode of the declarants, and the times and places of their naturalization, as they may have furnished.

#### ARTICLE III.

The present Convention shall be ratified by Her Britannic Majesty, and by the President of the United States by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged at Washington as soon as may be convenient.

In witness whereof, the respective plenipotentiaries have signed the

same, and have affixed thereto their respective seals.

Done at Washington, the twenty-third day of February, in the year of our Lord one thousand eight hundred and seventy-one.

(L.S.) EDWD. THORNTON. (L.S.) HAMILTON FISH.

## ANNEX (A.)

I, A.B., of (insert abode), being originally a citizen of the United States of America (or a British subject), and having become naturalized within the dominions of Her Britannic Majesty as a British subject (or as a citizen within the United States of America), do hereby renounce my naturalization as a British subject (or citizen of the United States); and declare that it is my desire to resume my nationality as a citizen of the United States (or British subject).

Made and subscribed before me in (insert country or other subdivision, and state province, colony, legation, or consulate), this day of 1.87.

(Signed) E.F.,

Justice of the Peace (or other title).

(L.S.) EDWD. THORNTON. (L.S.) HAMILTON FISH.

[No. 22. Price 2d.] Y