

Case No. 468

{Pet. C. C. 457.}¹

ANONYMOUS.

Circuit Court, D. Pennsylvania.

Oct. Term, 1817.

ALIENS—NATURALIZATION—REGISTRATION—PROOF—ACT APRIL 14, 1802.

1. Under the act of April 14th, 1802, [2 Stat. 154.] the registry of the aliens required by the second section of the law, must have been made five years before the application for naturalization.
2. The applicant must also prove the period of his residence in the United States, and also, the other matters required by the provisions of the section.
3. Parol evidence of the arrival of an applicant for naturalization, five years prior to the application, is insufficient.

Upon a motion to admit an application for naturalization, the court decided, that under the act of April 14th, 1802, [2 Stat. 154,] the registry required by the second section must have been made five years antecedent to the application. Because, as the term of the arrival of the alien is not required to be set forth in the report and certificate, and yet it is declared to be evidence of that fact, it can only be so by referring to the date of

ANONYMOUS.

the report itself. Besides this, the party must exhibit common law proof of the length of his residence in the United States, as also of the other matters mentioned in the third condition of the first section. The applicant offered to prove, by parol evidence, that he arrived in the United States more than five years ago, but the court thought this insufficient.

¹ [Reported by Richard Peters, Jr., Esq.]