

Case No. 17,127.

EX PARTE WALTON.

{1 Cranch, C. C. 186.}¹

Circuit Court, District of Columbia.

Nov. Term, 1804.

NATURALIZATION.

Five years continued residence was necessary under the naturalization law of 1802 [2 Stat. 153].

Application to be naturalized. Affidavit that "he has resided within the United States upwards of six years, that during that period he was absent a short time upon business, but left his family in the United States. That he hath resided for more than one year last past in Alexandria, in the District of Columbia, and that during all the aforesaid 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. That the said Walton removed to the United States, as this deponent understood, and doth verily believe, with the intention of making the said States his place of permanent residence, and that he hath not relinquished that intention."

The application was objected to, and rejected by THE COURT, because the residence did not appear to be a continued residence, and the term Of absence was indefinite, and THE COURT had also seen another affidavit, by the same deponent, stating that Walton last returned to the United States on the 20th day of May, 1804, which was inconsistent with the present affidavit.

¹ [Reported by Hon. William Cranch, Chief Judge.]