

beyond sea, or out of the limits of the United States, shall be considered as natural born citizens: *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, shall be admitted a citizen as aforesaid, except by an act of the legislature of the state in which such person was proscribed. (a)

Approved, March 26, 1790.

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Naturalization Act, March 26, 1790

The first formal attempt by the U.S. government to define who could become "American" was this "Act to establish an uniform Rule of Naturalization." A candidate for naturalization then had to have two years of residence and be "a free white person." This was the fundamental guideline against which centuries of complex struggles would be fought in order to include people of color. Africans and African Americans were the first allowed past this barrier after the Civil War; ironically, American Indians were not qualified until the 1920s, and Asians not until the 1940s and 1950s.

Richard Peters, ed., *The Public Statutes at Large of the United States of America*, vol. 1. Boston: Charles Little and James Brown, 1845.

Chap. III. —

An Act to establish an uniform Rule of Naturalization. (a)

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, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof, on application to any common law court of record, in any one of the states wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such court, that he is a person of good character, and taking the oath or affirmation prescribed by law, to support the constitution of the United States, which oath or affirmation such court shall administer; and the clerk of such court shall record such application, and the proceedings thereon; and thereupon such person shall be considered as a citizen of the United States. And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born