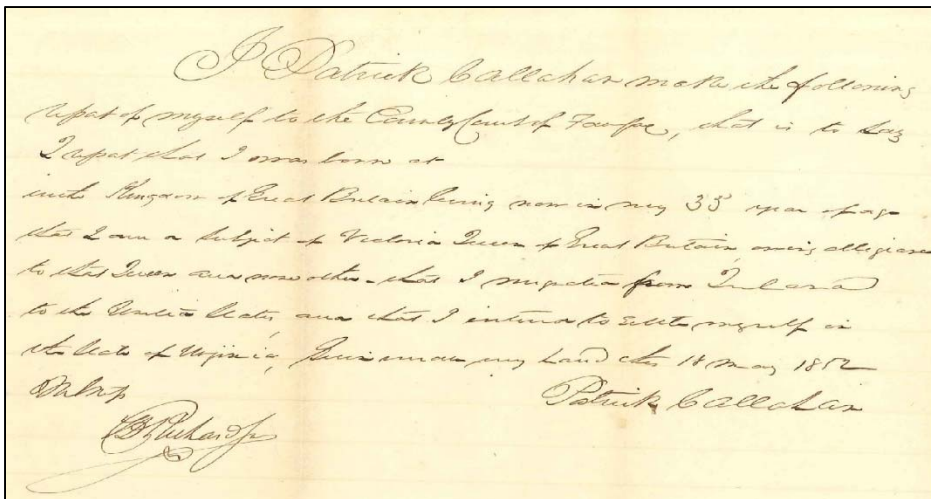




The year 2017 marks Fairfax County's 275th Anniversary – check out www.fairfax275.com for a calendar of upcoming events this spring, all celebrating the County's historic birthday!

Since the Declaration of Independence, the United States has given permanent legal residency (naturalization or citizenship) to about 72 million immigrants. In this month's edition of *Found in the Archives*, we look at Fairfax County's court documents from the mid-1800s and early 20th century, which touch on this issue.



Patrick Callahan's Intention to Settle in Virginia, 1852

Until Ellis Island opened in 1892 as the first federally-run immigration station, individual states regulated immigration. Prior to 1820, the federal government didn't require ships to include passengers' details on their manifests (lists of crew and cargo) given to their arrival port's customs officials. This meant that after

disembarking in America, immigrants headed to their final destinations more or less unchecked. After 1820, passenger lists provided unofficial documentation of immigrants. Once arriving at their new homes, immigrants who wanted a legal status in the U.S. had to register at their local circuit court. The above registration is for Patrick Callahan from Northern Ireland, a 'subject of Victoria Queen of Great Britain' who intended to 'settle myself in the State of Virginia.'

If an immigrant wanted to obtain citizenship, they had to first file a Notice with the Circuit Court Clerk that they intended to petition for citizenship. Immigrants were eligible to file an intention Notice after one year of living in the United States. After five years living in the United States and one year living within the state from which their intention was filed, an immigrant could file a *Petition for Naturalization*.

No. 3

ORIGINAL

UNITED STATES OF AMERICA

Department of Commerce and Labor
BUREAU OF IMMIGRATION AND NATURALIZATION
DIVISION OF NATURALIZATION

PETITION FOR NATURALIZATION

Circuit Court of Fairfax County, Va.

In the matter of the petition of Fritz Häffner to be admitted a citizen of the United States of America.

To the Circuit Court of Fairfax County, Va.

The petition of Fritz Häffner respectfully shows:

First. My full name is Fritz Häffner

Second. My place of residence is number _____ street, city town of Herndon

State Territory of Virginia

Third. My occupation is Laborer

Fourth. I was born on the 23rd day of August, anno Domini 1855, at Breg Bayern, Germany

Fifth. I emigrated to the United States from Germany (Old Hamburg) on or about the 28th day of January, anno Domini 1904, and arrived at the port of New York in the United States, on the vessel Pennsylvania

Sixth. I declared my intention to become a citizen of the United States on the 3rd day of August, anno Domini 1906, at Fairfax, Fairfax Co., Va. in the Circuit Court of Fairfax County, Va.

Seventh. I am now married. My wife's name was Martha Häffner, she died at Herndon Fairfax Co. Va. on 4th February, 1905. She was born in Stolchmuth, Posen, Germany. I have three children, and the name, date and place of birth, and place of residence of each of said children is as follows: Clara, born 17 May, 1887, Lommitz, Schlesien, Germany; Hans, born 14 August, 1891, Neuhammer, Germany and Erich, born 24 September, 1892, Neuhammer, Germany. All of the children reside at Herndon, Va.

Fritz Häffner's Petition for Naturalization, 1909

This intention slip is from Thomas Shea, a native of the Republic of Ireland and a wheelwright by trade. During the 1840s, as a result of the Irish Potato Famine, America saw a mass-influx of immigrants from Ireland who accounted for a third of all newcomers.

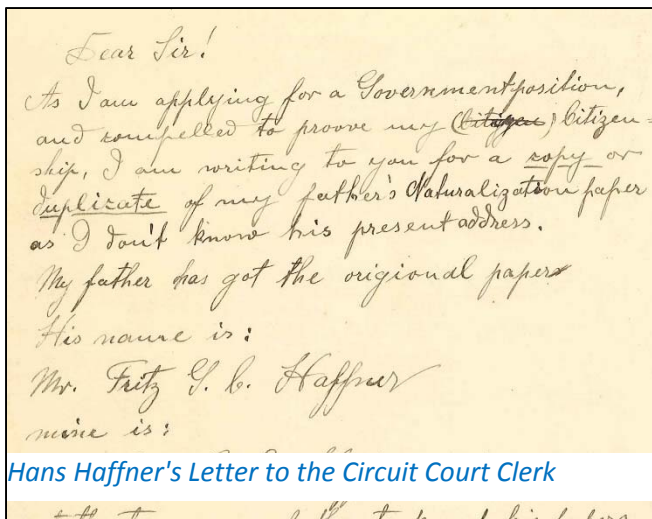
The Famine was precipitated by a catastrophic blight that destroyed nearly all potato crops, which was the main food source of the rural Irish. Faced with mass starvation and death by famine, an unprecedented number of young, Irish workers emigrated to the United States and Canada in the mid-to- late 19th Century. A large population of Irish immigrants, like as Patrick Callahan and Thomas Shea, emigrated to Fairfax County to work on the railroads – in fact, their emigration precipitates the founding of the first Catholic Church in Fairfax County: St. Mary's, in Fairfax Station.

Between 1880 and 1920, most immigrants to the United States were from Central, East and Southern Europe. Fritz Häffner and his wife, Martha, emigrated from Germany with their three children, Clara, Hans and Erich, in 1904. Born in 1855, Fritz was nearly fifty when he emigrated. Just four years after arrival, Fritz faced further challenge; his wife, Martha, died at their home in Herndon, leaving her husband to care for their 16 and 17 year old sons. In 1905, Fritz filed his intention to become a citizen at Fairfax County Circuit Court. His intention, certified by Circuit Court Clerk F. W. Richardson, still exists in our records today. On May 6, 1909, Fritz filed a *Petition for Naturalization* with the Circuit Court. This petition provides us with most of the biographical knowledge of Fritz, including his birthplace (Bavaria), occupation (laborer), passenger ship (Pennsylvania), port of embarkation (Hamburg) and port of arrival (New York). The reverse of the Petition records the Judge's Order certifying that Fritz was to be 'admitted to become a citizen of the United States of America' on September 24, 1909. Fritz was issued a

Certificate of Naturalization. The Circuit Court Clerk and Deputy Clerk also certified that Fritz had sworn the Oath of Allegiance. Both the Judge's and Clerk's Certifications changed Fritz's last name by omitting the umlaut (the accent mark over the letter 'a') converting Häffner, to "Haffner." This sort of name change might result from administrative or clerical processing, at the time.

In 1915, Hans, Fritz's oldest son, decided to apply for a government job. To complete his application, he had to prove his American citizenship which would have been bestowed when his father was naturalized. Hans wrote to F. W. Richardson, Circuit Court Clerk, to obtain a copy of his father's Certificate of Naturalization, and unwittingly started a fourteen year conflict with Fairfax Circuit Court over his father's naturalization records.

Evidently, a copy of the Certificate was not provided to Hans in 1915, and in 1923, Fritz applied to the Court to replace his own Certificate which he had lost. The Bureau of Naturalization sent a new Certificate referencing the old Certificate number (25393) to F. W. Richardson, stating that when Fritz paid the Certification Fee Richardson should sign, date and stamp the



Dear Sir!

As I am applying for a Government position, and compelled to prove my (Citizen) citizenship, I am writing to you for a copy or duplicate of my father's Naturalization paper as I don't know his present address.

My father has got the original papers
His name is:
Mr. Fritz G. Haffner
mine is:

[Hans Haffner's Letter to the Circuit Court Clerk](#)

Certificate and deliver it to Haffner. Apparently, this did not happen, as evidenced by the fact that the unsigned Certificate and accompanying letter are still in Fairfax Circuit Court's records. In September 1928, the Bureau again contacted Richardson, stating that in 1923, in exchange for the Certification Fee, Fritz had been given a typewritten Statement of Naturalization record rather than the Certificate, and asking Richardson to release the Certificate to Fritz. Richardson replied that he did not 'recall that Mr. Fritz Haffner or the

Bureau in 1923 mailed me an application for a new certificate.....if I had received it, I would have returned it as our court in 1923 had no power to act in naturalization cases, [the power being] transferred to federal courts'. Based on letters and materials were amongst papers taken from Clerk Richardson's desk after his retirement in 1935, and processed last year, we know that the Clerk had received the Bureau Letter regarding Haffner.

Issued in lieu of certificate 25393

No. 27466

THE UNITED STATES OF AMERICA

To be given to the person Naturalized.

CERTIFICATE OF NATURALIZATION

Petition, Volume 1, page 3. Stub, Volume 25393, page 3

Description of holder: Age, 54 years; height, 5 feet, 5½ inches; color, white; complexion, florid; color of eyes, grayish brown; color of hair, gray; visible distinguishing marks, brown spot on back

Name, age and place of residence of wife, dead

Names, ages and places of residence of minor children: Hans, born 14th August 1891 Erich born 24, September 1892 all reside at Herndon Va.

Fritz Haffner's Replacement Certificate of Naturalization, 1923, showing physical appearance

The Commissioner of Naturalization himself wrote to Richardson with 'a letter of authority for issuance of a new certificate'. Richardson's replies of October 1928, and January 1929 state that he could not sign the replacement certificate (shown above) as it contained details about Fritz's appearance that were not recorded in the Court's records. In this, Richardson was absolutely correct -- Fritz's *Petition for Naturalization* doesn't detail his physical appearance. Richardson asserted that he had provided Fritz with a Statement that he had been naturalized in Fairfax County, but that was all he could provide.

The Mayor of Washington D. C. also became involved in the matter, writing to Richardson to 'inquire into your reasonin refusing to sign papers...so that I may take further steps if necessary'. Richardson's rebuttal was that he had provided records to Fritz and the Bureau, but that 'my copies do not suit your naturalization officials.'

The final letter in this collection is written from the District Director of Naturalization to Judge Howard Smith, then a justice for Fairfax County Circuit Court. The letter clearly lays out the reason why the Circuit Court's records do not contain details recorded on the original Naturalization Certificate (the original being given to the applicant and the duplicate sent to the Bureau of Naturalization). The letter further states that Fritz's physical appearance was written on the original Certificate, both original and duplicate, 'in the hand-writing, apparently, of Deputy Clerk E. R. Holbrook, Mr. Haffner being present when the entries were made'. The Director also enclosed the duplicate Certificate for the Judge to compare with the new Certificate. This last action seems to have resolved the matter, as the new Certificate of Naturalization stub and a receipt for a piece of registered mail to the District Director of Naturalization are appended to this letter.

The early twentieth century saw many more federal regulations and laws being created than the previous century. F. W. Richardson became Clerk in 1870, and, in over fifty years of service, he must have seen the law change many times and would have had to interpret it in every case he handled. This meant maintaining a large amount of institutional and legislative history, and letters between Clerk Richardson and State and Federal officials show how often County Clerks had to clarify the current laws in order to do their jobs. The Fritz Haffner case details how America, as a young Nation, federalized the administration of immigration, and showcase and how the local Court Clerk had to make decisions based on his knowledge of then-governing rules.

As shown above, the matter was resolved, although it took a very long time and much communication between the Haffners and Clerk Richardson. The Haffner story is just one of many stories of immigration in Fairfax County, and Fairfax County Circuit Court's immigration records are an interesting example of how local courts played a role in the emerging community.

For more information on these and other records held at the Fairfax Circuit Court Historic Records Center, please call 703-246-4168 or email CCRHistoricRecords@fairfaxcounty.gov.

Sign up for *Found in the Archives*, the monthly newsletter of the HRC:

http://www.fairfaxcounty.gov/courts/circuit/historical_records.htm