

T 1291/25/378

February 1926.

Circular despatch to
British Superintending
Consular Officers Abroad.

Ineligibility of Indian British
Subjects for naturalisation in
the United States of America.

Sir,

I am directed by Secretary Sir Austen Chamberlain to state that by a judgment of the Supreme Court of the United States delivered in February, 1923, on appeal in the case of United States v. Bhagat Singh Third, it was held that British subjects of Hindu race were ineligible for naturalisation as United States citizens, even though they had lawfully entered the territories of the United States.

It seems clear that as a result of this decision the United States authorities propose to treat the "naturalisations" already granted to persons falling into this category as null and void. Sir Austen Chamberlain is advised that in these circumstances it can be assumed that such "naturalisations" have not affected the British nationality of the persons concerned.

Therefore, you if any time receive an application for British passport facilities and find that the person is this category as above mentioned as a United States citizen have been advised by the Secretary of State in the United States, you are requested to advise the person of the nullity and ineligibility of the "naturalisation" and to refuse to issue a passport or other facilities and facilities.

19

usually extended to British subjects provided there is no known objection to such action upon other grounds.

4. Additional copies of this despatch are enclosed for transmission to consular officers under your superintendance.