

FOUND IN THE ARCHIVES, no. 6 – March 2015
Fairfax Circuit Court Historic Records Center



Greetings! This is the sixth installment of “Found in the Archives,” where the Fairfax Circuit Court Historic Records Center will highlight interesting and unique documents in our custody.

In this issue, we look at Irish immigrants to Fairfax County who declared their intent to become citizens of the United States. Specifically, we will examine John and James Carlin, brothers who emigrated from Ireland in the 1850s. Their declarations, dated six months apart in 1856 and 1857, are kept here at the Historic Records Center.

According to the *Code of Virginia*, by an act of Congress approved April 14, 1802, a free white person could declare his intent to become a citizen of the United States on the following conditions: he had to affirm an oath in a court of law (i.e., supreme, district, or circuit court) his *bona fide* intent to become a citizen at least three years before his admission and renounce his allegiance to his former country of citizenship. He then had to take an oath that he would support the constitution of the United States. After at least five years of residency and three years since his first declaration, the person could be admitted as a citizen of the United States, the record of which was kept in the county circuit court.¹

The Historic Records Center is custodian of approximately thirty declarations of citizenship dating from the 1850s and 1860s. The two declarations below, for John Carlin and James Carlin (spelled “Carlan” in the documents) show that the brothers “[renounced] forever all allegiance & fidelity to any foreign Prince... and particularly to Victoria, Queen of the United Kingdom of Great Britain and Ireland, whereof they are subjects.” John’s is dated October 1856, while James’ is dated April 1857. Their declarations and subsequent admittance as citizens were recorded by Alfred Moss, Clerk of the Fairfax County Circuit Court (1852-1861).

¹ *Code of Virginia*, Title 2, Chapter III.

Virginia, town.

In the Clerk's Office of Fairfax County Court: October 28th 1856

John Carlan this day personally appeared before me and made oath that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance & fidelity to any foreign Prince, Potentate, State or Sovereignty whatever, and particularly to Victoria, Queen of the United Kingdom of Great Britain and Ireland, whereof they are subjects —

A Copy,

Test: Alfred Mosey, Clerk

John Carlin's declaration, October 28, 1856

Virginia, town.

In the Clerk's Office of Fairfax County Court: April 14th 1857

James Carlan this day personally appeared before me and made oath, that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty whatever, and particularly to Victoria, Queen of the United Kingdom of Great Britain and Ireland, whereof he is a subject —

Test: Thomas Moore D.C.

A Copy,

Test: Alfred Mosey, Clerk

James Carlin's declaration, April 14, 1857

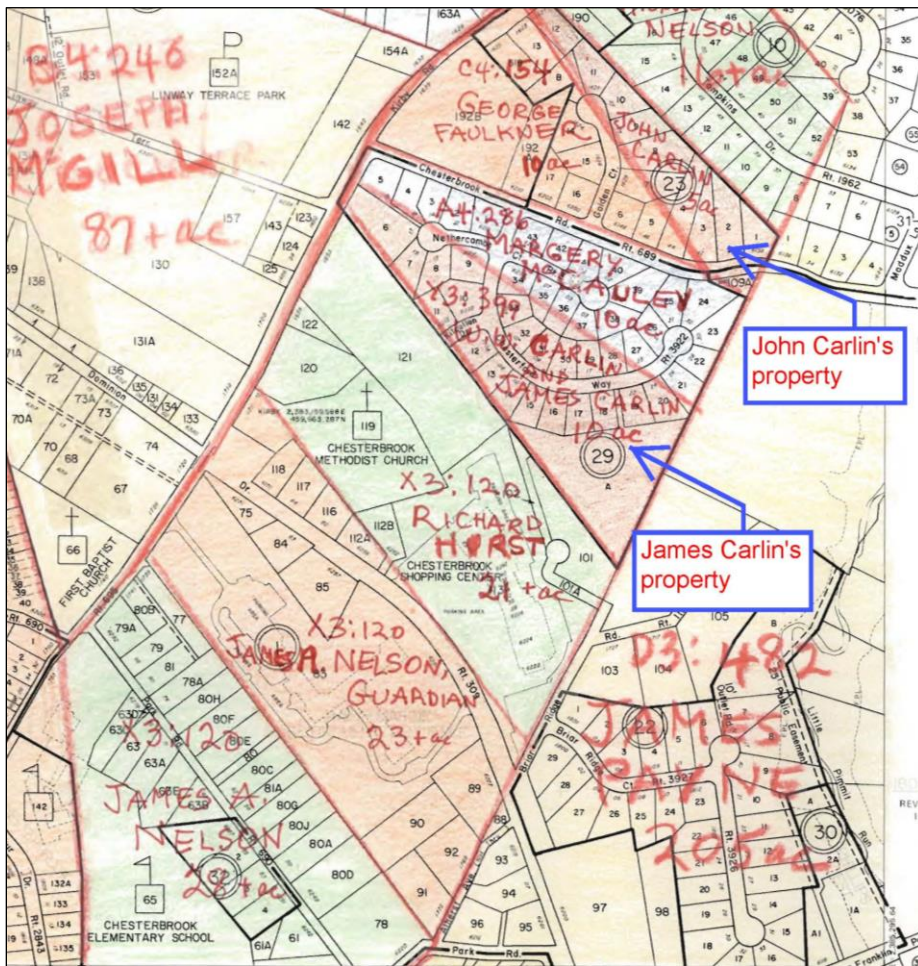
After meeting the terms of citizenship, John and James Carlin were admitted as citizens of the United States on May 21, 1860. Their admission was recorded in Fairfax Circuit Court Minute Book 1858, page 322-23.

20 paid
William M'Carley, William Carr, James Carlan, John Carlan, John Peyton, Richard Dinnegan & Joseph Skaskett, natives of Great Britain, this day applied to the Court to be admitted to become citizens of the United States; and it appearing to the satisfaction of the Court that, more than two years ago, the said William M'Carley, William Carr & Joseph Skaskett declared on oath before this Court, the said James Carlan, John Carlan & John Peyton declared on oath before the Clerk of this Court in his Office; and the said Richard Dinnegan declared on oath before the County Court of Prince William County, Va., their intention to become citizens of the United States; and it being proved to the satisfaction of the Court that they have resided within the United States five years at least, and within this State one year at least; And it further appearing to their satisfaction, that during that time they have behaved as men of 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: And they having declared on oath before the Court that they will support the Constitution of the United States, and that they do absolute and entire renounce and abjure all allegiances and fidelity to every foreign Prince, Potentate, State or Sovereignty, whatever, and particularly to Victoria, Queen of the United Kingdom & Ireland

323
May Court, 1860 - 1st day -
whereby they were citizens - Thereupon the said William M'Carley, William Carr, James Carlan, John Carlan, John Peyton, Richard Dinnegan & Joseph Skaskett are admitted Citizens of the United States

Why might there have been an influx of immigrants to Fairfax County in the 1850s? According to Nan Netherton and Whitney Von Lake Wyckoff's book *Fairfax Station: All Aboard!*, it may have had to do with the railroads. Netherton and Wyckoff state that the Orange & Alexandria Railroad Company sought to run their line southwest through Fairfax County, including through the county seat of Fairfax Court House, to Orange County. Many Irish immigrants "responded to ads for help placed by the Orange & Alexandria Railroad Company," and the Irish became the group largely responsible for performing the "hard labor" needed to construct the railroad.²

We cannot be sure if John and James Carlin immigrated to work on the railroads, but we do have some idea of what happened to them after they became citizens of the United States. John and James, originally from County Kerry in Ireland, settled in the Chesterbrook area of Fairfax County. Both brothers married – James had at least eight children, while John had at least six. James bought 5 acres of land, and John lived on 10 acres; both farmed their property. Interestingly, both John and James voted at Lewinsville in 1861 against secession. James passed away in 1911, while his brother, John, lived well into his nineties and passed away in the 1920s.³



The Carlin brothers' citizenship documents are just some of the thousands of personal stories waiting to be found at the Historic Records Center. For more information about these and other documents, please visit:

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

Fairfax County 1860 Map Overlay showing the Carlin properties, Tax Map 31:3

² Nan Netherton & Whitney Von Lake Wyckoff, *Fairfax Station: All Aboard!* (Fairfax, VA: The Friends of Fairfax Station, 1995): 20-21.

³ Edith Moore Sprouse, *Fairfax County in 1860: A Collected Biography*, 1996: 263-264.