

February

1926

Circular despatch to:  
British

in

British Superintending  
Consular Officers Abroad

Ineligibility of Indian  
Subjects for naturalisation  
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 Thind, 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.

2. 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 ab initio and 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.

3. If, therefore, you at any time receive an application for British passport facilities and protection from a person in this category to whom facilities as a United States citizen have been refused by virtue of this decision of the Supreme Court of the United States, you are authorised to accord the applicant \_\_\_\_\_ facilities and assistance usually extended to British subjects provided there is no known objection to such action upon other grounds.

T.1291/25/378  
February, 1926

20<sup>th</sup>

Sir,

I am directed by Secretary Sir Austen Chamberlain to state, for the information of Mr. Secretary Amery, that it was recently decided by the Supreme Court of the United States, on appeal in the case of United States v. Bhagat Singh Thind, that British subjects of Hindu race were not eligible for naturalisation as United States citizens, even though they had lawfully entered the territories of the United States.

2. It seems clear that the United States authorities propose to treat the "naturalisations" of such persons as null and void ab initio, and Sir Austen Chamberlain is advised that it can be assumed that such "naturalisations" have not affected the British nationality of the persons concerned.

3. Such persons are consequently entitled to receive the protection and passport facilities usually accorded by British authorities to British subjects, and I am to transmit to you herewith a copy of circular despatch upon the subject which is being issued to British consular officers abroad.

I am, etc.,

(Signed) G. R. WARNER

The Under-Secretary of State

Dominions Office

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

FOREIGN OFFICE, S.W.1.

T 1291/26/378

20th February, 1936.

Sir,

I am directed by Secretary Sir Austen Chamberlain to state, for the information of Mr. Secretary Amlay, that it was recently decided by the Supreme Court of the United States, on appeal in the case of United States vs. Bhagat Singh Thind, that British subjects of Hindu race were not eligible for naturalisation as United States citizens, even though they had lawfully entered the territories of the United States.

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The Under-Secretary of State  
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