Citizenship denied, with prejudice

Welcome to Butte, America’s Story. I’m your host, Dick Gibson.

What did it take to become a U.S. citizen in Butte in 1917? The basic requirements were about as they are today, five years of residency and pass a citizenship test. You had to get two witnesses to testify to your character as well. So, more interestingly, what did it take to be denied citizenship?

I went through 750 petitions for citizenship in the Butte-Silver Bow Public Archives, spanning most of the time from 1915 to 1920. About 10% or so were denied. Let’s list the reasons for denying citizenship in Butte in 1917.

First, you could be denied without prejudice. These were mostly technicalities, of which by far the most common was “failure to diligently prosecute the petition,” which probably means too much time had gone by between the applicant’s Declaration of Intent to become a citizen and the actual hearing to address the question.

The second-most common cause for denying a petition was having witnesses that were incompetent, including witnesses who were not themselves U.S. citizens. Other fairly common reasons included the petitioner withdrawing the application, often because of returning to his or her native country, or an application that was from someone who lived outside the jurisdiction of the Silver Bow County court.

I saw only two applications denied for not knowing enough about civil government, meaning they failed the test, and one was rejected because he couldn’t read English. Two lost out because they had filed their intent to become citizens before they were 18 years old, which invalidated the petition, and two others had renounced their allegiance to the wrong government (one renounced Germany, one France, when both were determined to be subject to the King of England). A few used different names in the declaration of intent and the petition to become a citizen, and that was a no-no. One woman’s request to become a citizen was denied because she claimed her husband was a citizen when he was not. And about 10 petitions were dismissed because the petitioner was dead.

Five or six applications were nullified because the petitioner was already a citizen, typically having obtained it while in the U.S. military. Once you had declared your intent to become a citizen, you were subject to the draft even if you hadn’t yet received citizenship. One applicant was denied his petition for failing to register for the draft in Butte on June 5, 1917 – but his request was dismissed without prejudice, as was the request of the one illegal immigrant in the record, a seaman who deserted his British ship.

In all the 750 petitions, I only found ten who were denied citizenship “with prejudice.” Two of them were men of “immoral character,” though the details were not specified. One other applicant appeared before the court “under the influence of liquor,” and another was disrespectful of the court in some way. One did not admit to having an arrest record. Three were denied in connection with their rejection of military service.

Don Plessas, a Butte resident researching his Butte ancestors discovered that his grandfather Peter Gaida’s application for citizenship was denied, with prejudice, because of “his association with the I.W.W. organization in Butte, Montana.”

Even acknowledging the turmoil and contentiousness in Butte over the Industrial Workers of the World and other labor unions, this seems to be a remarkable thing – to deny citizenship for that reason. The denial came on January 25, 1918, near the height of the anti-Communist, anti-German, hyper-patriotic hysteria sweeping Montana during World War I, but it still seems surprising, especially since it is the only one out of 750 applicants denied for such a blatantly political reason. The I.W.W. boasted hundreds if not thousands of members in Butte in the late 1910s, and it’s hard to believe that Peter Gaida was the only non-citizen I.W.W. member to apply for citizenship then, but he’s the only one in the records.

Don’s grandfather, Peter Gaida, remained in Butte, but died in 1922 from miner’s consumption (silicosis) when Don’s mother Katie was four years old.

Thanks to Don Plessas for the discovery and permission to share it.

As writer Edwin Dobb has said, "Like Concord, Gettysburg, and Wounded Knee, Butte is one of the places America came from." Join us next time for more of Butte, America’s Story.