

## PATRIATION\*

By: A WITAN<sup>i</sup>

*"and now for a completely different point of view."* Monty Python

ALL EMPHASIS ARE ADDED

Contained are observations, by myself but mostly from learned men, which I hope will make sense and spur the reader to further studies to make order from the abyss we are in.

By virtue of *Executive Order 12616*<sup>ii</sup> of Oct. 26., 1987, appearing at *52 FR 41685*, § 2(d) to wit: "The **people** of the **States** are **free**, subject only to the restrictions in the Constitution itself or in the constitutionally authorized **Acts** of Congress, **to define the moral, political, and legal character of their lives.**" Remember, the Constitution is a compact between the States, and operates only on them. Always ask **WHY?** Why a 14th amendment? "If a State has conformed to the new Order, there is no need for Congress to intervene. And if a white **Citizen** has **not obtained** the standing of a former **slave** by **petitioning** Congress **for admittance to venue and jurisdiction** of the Fourteenth Amendment, then **Congress has no power** over that individual under this clause (Amend. 14, Sec. 5)." [*9 Fed. Stat. Anno. 633*]. The definition in *Black's Sixth Edition*, pg.657, tells it all: "The Fourteenth Amendment of the Constitution of the United States, ratified in 1868, **creates** or at least recognizes for the first time a citizen of the United States, as distinct from that of the states.". Notice it didn't do away with citizenship of a state, it only adds this citizen of the United States.

"U.S.C.A. Const. Amend. 14 defined citizenship which citizen keeps unless he **voluntarily** relinquishes." [*Affroyim V Rush, 1967, 87 SCt 1660, 387 US 253, 18 L.Ed 2d 757. [8 U.S.C.A. § 1481. (Note 21)]*]. They lie by not telling the complete story, in this statement, by a judge, wouldn't you think that the only citizenship available to a man who makes his home within one of the states of the Union is 14th Amendment Citizenship? "The 14th Amendment creates and defines citizenship of the United States. It had long been contended, and had been held by many learned authorities, and had never been judicially decided to the contrary, that there is no such thing as a citizen of the United States, except by first becoming a citizen of some state." [*United States v. Anthony (1874), 24 Fed. Cas. 829 (No. 14,459), 830*] .<sup>iii</sup> ". . . there is no such thing as a citizen of the United States . . ." [*Ex Parte Frank Knowles, (1855), 5 Cal 300, pg. 302*], this is

still good law, it is mentioned in 8 U.S.C.A. § 1421, (note 44), in shepardizing this case, it has never been overturned. This was the understanding before the 14th Amendment.

“2. Clause **Reverses** Previous Rule of Citizenship. Prior to the adoption of this amendment, strictly speaking, there were no citizens of the United States, but only of some one of them. Congress had the power ‘to establish an uniform rule of naturalization,’ but not the power to make a naturalized alien a citizen of a state. But the states generally provided that such persons might, on sufficient residence therein, become citizens thereof, and then the courts held *ab convenienti*, rather than otherwise, that they became ipso facto citizens of the United States. But the amendment declares the law positively on the subject, and **reverses this order of procedure**, by making citizenship of a state consequent on citizenship of the United States; for, having declared what persons are citizens of the United States, it does not stop there, and leave it in the power of the state to exclude any such person who may reside therein from its citizenship, but adds, ‘and such persons shall also be citizens of the state where in they **reside**.’” [Federal Statutes Annotated, Vol. 9, pg. 387].

In 1857 Judge Taney in the Dred Scott case, 60 US 393, using Common Law practice, decided that Dred Scott was unable to attain United States citizenship, people of African nativity were subjects of their respective kingdoms, what he failed to state was that Scott could have become a state citizen by the laws of nature (equity), also he (Scott) was a resident of a state not of the United States, so of course he couldn’t become a citizen of the United States. Although a slave, he was still a subject of his African Kingdom by common law. When you read this case remember that the justices knew the true jurisdiction of the United States, that being other than a state.<sup>iv</sup> “This Amendment which I have offered [14th] is simply declaratory of what I regard as the law of the land already, that every person born within the **limits** of the United States, and subject to **their jurisdiction**, is . . . a citizen of the United States.” [Congressional Globe, 39th Cong. 1st sess. 1866, pg.2890]. “The phrase “subject to its jurisdiction” was intended to **exclude** from its operation children of ministers, consuls, and **citizens** or subjects of **foreign states** born within the United States.” [Slaughter House Cases, 83 U.S. 73. [U.S.C.A. 14th Amend. §1, Note 5.]. “It recognizes and establishes a distinction between citizenship of the United States and citizenship of a state.” “Not only may a man be a citizen of the United States without being a citizen of a state, but an important element is necessary to convert the former into the latter. He must reside within the state to make him a citizen of it, but it is only necessary that he should be

born or naturalized in the United States to be a citizen of the Union. It is quite clear, then, that there is a citizenship of the United States, and a citizenship of a state, which are distinct from each other, and which depend upon different characteristics or circumstances in the individual. . . .; but he cannot be a citizen of a state until he becomes a bona fide resident of that state.” [Cory et al. V. Carter, 48 Ind. 327 (1874)] So, how do you become a “*bona fide*” state citizen?

“By the common law, allegiance to the government of the country of one’s birth could not be discharged by naturalization in a foreign country.” [*Ainslie v Martin*, 1813, 9 Mass. 454. [8 U.S.C.A. § 1481(note 3)]. By the common law a subject could not expatriate, he was bonded to his sovereign for life, as were his children. One reason for the War of 1812 was the impressing of former Englishmen off American ships into the English Navy, their duty as English subjects.<sup>v</sup>

But, “in Equity” (the laws of nature) a man was able to cast off the bonds that bound him, and Congress expressed that to wit: “Whereas the right of expatriation is a **natural and inherent right** of all **people**, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this government has freely received **emigrants** from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such **American citizens, with their descendants, are subjects of foreign states**, owing **allegiance** to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore any declaration, instruction, opinion, order, or decision of any **officer of the United States** which denies, restricts, impairs, or questions the right of expatriation, is declared inconsistent with the fundamental principles of the Republic.”<sup>vi</sup> [15 *United States Statues at Large*, Chapter 249, pg. 223, 27 July, 1868; *REVISED STATUES of THE UNITED STATES passed at the FIRST SESSION OF THE FORTY-THIRD CONGRESS, 1873-’74, CITIZENSHIP- Title XXV, § 1999; 8 U.S.C.A. § 15, moved to 1482 and 1483 Historical Note, see Historical Note under section 1481 of this code, see 8 U.S.C.A. prec. §1481, (note 1), 8 U.S.C.A. § 800. “Right of Expatriation, Codification. Section, R.S. 1999, is set out as a note under section 1481 of this title.”] do you think they are trying to hide this. So, this poses the question, why did they wait till 1866 to pass this law when the problem existed since at least from 1800? If this statue was for foreign countries, then why is it directed at officers of the United States? This Act talks of natural rights (not legal or lawful), of people (not persons), of emigration (not immigration), note definition at 8 U.S.C.A. 1101 (14), (21), (22),and (23). Understand that Title 8 is for*

immigrants and R.S. 1999 is for emigrants<sup>vii</sup>. This Statue was the remedy for the 14th Amendment. This Act is titled “An Act concerning the Rights of **American Citizens in foreign States.**” The 14th wasn’t passed yet, so where did this American Citizenship come from? State Citizenship? “**Foreign state**” [8 U.S.C.A. § 1101(14)] “The term “foreign state” . . . self-governing dominions . . . shall be regarded as separate foreign states.” Remember: Dominion = sovereignty. Sovereignty = ownership.

**State, Foreign state.** “ . . . The several United States are considered foreign to each other . . . ” [Black’s Sixth Edition, pg 1407]. **Foreign states.** “Nations which are outside the United States. Term may also refer to another state; i.e. a sister state. . . .” [Black’s Sixth Edition, Pg 648]. Remember federal jurisdiction! [Title 8 U.S.C.A. § 1101 (22)] “The term “national of the United States” means (A) a citizen of the United States, or (B) a person who, though **not a citizen** of the United States, owes **permanent allegiance** to the United States.” [It does not include an alien.]<sup>viii</sup> **National,** “ . . . The term “national” as used in the phrase “national of the United States” is **broader** than the term “citizen”. [Brassert v. Biddle, D.C.Conn., 59 F.Supp. 457, 462. Black’s Sixth Edition, pg. 1024]. Well, how do you think that it’s broader? Could the term “national” include the citizen of a state? Remember they lie by omission. So it appears that you can be a citizen of a state and also a national of the United States at the same time. But if you are a United States citizen, are you considered to be a **resident** of the state? [Constitution of California (1879), Article II, § 2], “A United States citizen 18 years of age and **resident** in this State may vote.” **IT DOESN’T SAY CITIZEN OF THIS STATE!!!!** “Residence and citizenship are wholly different things within the meaning of the Constitution....” [U.S.C.A., Amend. 14, §1, Note 25, Steigleder v. McQuesten, Wash.1905, 25 S.Ct. 616, 198 U.S. 143, 49 L.Ed. 986].

**CITIZEN,** “For convenience it has been found necessary to give a name to this **membership.** The object is to designate a title the person and the relation he bears to a nation. For this purpose the words “subject,” “inhabitant,” and “citizen” have been used, and the choice between them has been sometimes made to depend upon the form of the government. **Citizen** is now more commonly employed, however, and as it has been considered better suited to the description of one living under a **republican government,** it was adopted by nearly all of the states after their separation from Great Britain, and was afterward adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the

idea of **membership of a nation** and **nothing more.**" [*MINOR v. HAPPERSETT, (1874) 21 Wall. 162, 22 Led 627. Cases on Constitutional Law (1928) by Dudley O McGovney, Professor of Law in the University of California*]. "Both **before and after** the Fourteenth Amendment to the federal Constitution, it has **not** been necessary for a person to be a citizen of the United States in order to be a citizen of his state." [*U.S. v. Cruikshank (1875) 92 U.S. 542*], and "The term resident and citizen of the United States is distinguished from a Citizen of one of the several states, in that the former is a **special class** of citizen **created** by congress." [*U.S. V Anthony, 24 Fed. 829 (1873)*].<sup>ix</sup>

"**Residents**, as distinguished from citizens, are **aliens** who are permitted to take up a permanent abode in the country. Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, **although they do not enjoy all the rights as citizens.** They have only **certain privileges** which the law, or custom, **gives them.** *Permanent residents* are those who have been given the right of perpetual residence. They are a **sort of citizen** of **a less privileged character**, and are subject to the society **without enjoying all its advantages.** **Their children succeed to their status;** for the right of perpetual residence given them by the State passes to their children." [*THE LAW OF NATIONS OR THE PRINCIPLES OF NATURAL LAW, by E. De Vattel, Translation of the Edition of 1758, by Charles Fenwick, Published by the Carnegie Institution, Washington, 1916*]. Looks like a United States Citizen is a foreigner in one of the several states and is classified as such, an alien/resident. What we have in America is a whole lot of United States Citizens owing their allegiance to that 10 square miles on the Potomac, which are foreigners living in the several states of the Union.

So now we know that there are two distinct citizenship's and two forms of law that could govern how the courts look at their implementation, Common law or Equity(natural law) and one of the several states or United States citizenship.

Of course there is this thing called dual citizenship. **Dual Citizenship.** [*Black's Sixth Edition, pg. 498*] : ". . . Status of citizens of the United States who **reside** within a state; *i.e.*, persons who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein they **reside.**" **Reside.** [*Black's Sixth Edition, pg. 1308*] : ". . . ; specifically, to be in **residence**, . . ." the first line of [*STATE OF CALIFORNIA VOTER REGISTRATION FORM*] "ARE YOU A U.S.

CITIZEN? ○YES ○NO If no, don't fill out this form." So, if you're a state citizen, you can't vote for those 14th Amendment U.S. Officers. What is the status of a citizen of a state that is part of the Union of the united States of America? **WHAT IS YOUR STATUS AND HOW DO YOU PROVE IT?**

But, back to the 14th amendment, it was proposed June 13, 1866, ratified July 9, 1868 and certified July 28, 1868, on the day before it became law, July 27, 1868, the natural law was set out in the statute, An Act Concerning the Rights of American Citizens in foreign States (see above). Do you think that it was just a coincidence? Remember, this is 56 years after the War of 1812. "On three occasions, in 1794, 1797, and 1818, Congress considered and rejected proposals to enact laws which would describe certain conduct as resulting in expatriation." [*Afroyim v. Rusk* (1967), 387 US 253, 18 L.ed 2d 757]. This case is full of this history.

"Nationality is a term denoting a relationship between an individual and a nation involving a duty of obedience **or** allegiance by the subject and **protection** by the state." [*Cabebe v Acheson*, C.A.1950, 183 F2d 795, 8 U.S.C.A. § 1101 (note 39)]. Here we have a duty **or** allegiance, duty being a 14th amendment citizen/subject and allegiance a state citizen or United States national.

**Subject.**[*Black's Sixth Edition*, pg. 1425], "*Constitutional Law*. . . . Men in free governments are subjects as well as *citizens*; as **citizens** they enjoy **rights and franchises**; and as **subjects** they are bound **to obey** the laws. The term [subject] is little used, in this sense, in countries enjoying a republican form of government. *Swiss Nat. Ins. Co. v Miller*, 267 U.S. 42."

**Allegiance.** "Obligations of fidelity and obedience to government in **consideration** for **protection** that government gives. *U.S. v Kuhn, D.C.N.Y.*, 49 F.Supp. 407, 414." [*Black's Sixth Edition*, pg. 74]. "[A]llegiance imports an obligation on the citizen or subject, the correlative right to which resides in the sovereign power: allegiance in this country is not due to Congress, but to the people, with whom the sovereign power is found; it is, therefore, by the people only that any alteration can be made of the existing institutions with respect to allegiance." [*31 Annals of Congress*, (1818) Pg.1045 as quoted in *Afroyim v. Rusk* 387 US 253, 18 L ed 2d 757].

"He [citizen] owes its **allegiance** and is entitled to its **protection**. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance." [*MINOR v. HAPPERSETT*. (1874) 21 Wall. 162]. So there is a quid pro quo between the government and the citizen. Have you received your

protection today?

**Nation.** [*Black's Sixth Edition, pg.1024*], "A **people**, or aggregation of **men**, . . . In American constitutional law the word "state" is applied to the several members of the American Union, while the word "nation" is applied to the whole body of the **people** embraced within the jurisdiction of the federal government." "There cannot be a nation without a people." [*MINOR v. HAPPERSETT, (1874) 21 Wall. 162*]. Looks like you have to have people to have a government /nation/country/state. By encapsulating a people into United States citizens the 14th amendment created or at least recognized for the first time a **NEW NATION**, by creation of these new subjects within the states, this gave the federal government the excuse to enter the states to control their new creations. See definition of the 14th Amendment above. This is when the overlay of the Federal Corporate States happened. ". . . From the moment of their association, the United States necessarily became a body corporate; . . ." See; [*Respublica v. Cornelius Sweers, Supreme Court of Pennsylvania, April Term 1779*], and the same applies to these new states. Over the years the U.S. citizens within the states have increased to the point now that the federal government thinks that the invasions are complete. In order to return the Union to it's original status the states have to be repopulated with state citizens. In which Country do you want to live or be a member?

The *14th Amendment § 2* governs the way the elected officials are elected for the new or expanded United States.(see: definition of the 14th above)

The *14th Amendment § 3* tells who may be an elected official: "No person shall be a Senator or...[elected official]...., who, having previously taken an oath, as... [elected official]...., to support the Constitution of the United States, shall have engaged in...[treason] . . ." If you had taken an **oath** to the *de jure* United States you couldn't be elected to the 14th Amendment United States Government. This tells you what effects allegiance, an **oath** of fidelity. (See Allegiance above) Notice there is no differentiation between the north and the south. I don't know this for a fact but I am sure that every one in the Confederacy swore an oath to the same renouncing all other allegiances. Every one that goes into the military or government service takes an oath of allegiance to the Constitution of the United States, before 1962 the oath was to the United States of America. See ; *10 U.S.C.A. § 502, 1962 Amendments, Pub.L. 87-751*. Also, under the same section, Note 3. Induction without oath, there are several cases listed that basically say the same

thing, that being, you don't have to take an oath to be subject to the code of military justice when drafted. Now, where do you think they get that reasoning from? Common Law? These inductees were assumed to be 14th Amendment citizens/subjects, doesn't this sound like impressment (*see above: War of 1812*). Are you getting the picture? Back to the rest of the new United States and the real reason for the 14th Amendment.

*14th Amendment § 4* and this is a goody: "The validity of the public debt of the United States, . . . , shall not be questioned . . . , **or any claim for loss** or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.", first of all this is a taking without compensation, *Constitutional Amendment 5* "...nor shall private property be taken for public use without just compensation." This is natural law. Now for "shall not question the debt". Everything we use in tender of payment is a debt instrument, a Dollar **bill** (a Debt owed), the ability to pay a debt was discharged by HJR 192, June 5, 1933, 73rd Congress, 1st Session, see: *Bank Holiday of 1933, Black's Sixth Edition, pg. 146* . So a United States Citizen can't question the money (debt) or the taking of his property with out compensation. You see, **the creation has to answer to his creator**, no questions asked, (the creation being the 14th Amendment United States Citizen see: definition above). So when you end up before the Judge with your traffic ticket the government agent has perfected a commercial lien which through your ignorance, you are now the underwriter/surety. You can't question the debt /taking, that's why they call you a lunatic.

"Although § 4 "was undoubtedly inspired by the desire to put beyond question the obligations of the Government issued during the Civil War, its language indicates a broader connotation . . . . "[T]he validity of the public debt' . . . [embraces] whatever concerns the integrity of the public obligations," and applies to **government bonds issued after** as well as before adoption of the Amendment." *[The Constitution of the United States of America, Analysis and Interpretation, 1972, Pg. 1530, quoting Perry v. United States, 249 U.S. 330, 354, (1935)]*.

So what governs citizenship? Citizenship is acquired through birth, by the situs (place) or through your parents and their situs of birth. If you were born in California of Californian parents you are also a Californian. (See above, *THE LAW OF NATIONS, by E. De Vattel*). But if you were born in California to U.S. citizen parents you are a citizen of the United States. Now comes the question, how do we change this status as a creation of the United States?

“The term “**naturalization**” means the conferring of **nationality of a state** upon a person after birth, **by any means whatsoever.**” [8 U.S.C.A. §1101 (23)]. Read my lips “nationality of a state,” “by any means whatsoever.” Naturalization, this is accomplished by the taking an oath to the country/state of your free choice, which renounces all previous allegiances. The Constitution gives Congress the authority to set the rule for naturalization, Article I, § 8, “. . . to establish an uniform rule of naturalization, . . .” and these rules are found (supposedly) in *Title 8 of the United States Code at §§1435-1459* and loss of nationality is covered by §§1481-1489. If the congress couldn’t naturalize anyone, then the 14th Amendment would be unconstitutional but the U.S. through Statues and Acts since 1802 had rules for making U.S. Citizens see [2 *United States Statues at Large, Chapter 28, Pg. 153,155, 14 April 1802, REVISED STATUES of THE UNITED STATES passed at the FIRST SESSION OF THE FORTY-THIRD CONGRESS, 1873-’74, TITLE XXX-Naturalization, R.S. 2165 to §2174*].<sup>x</sup> A good explanation of the Constitutional powers of Congress regarding naturalization can be found at §1098 of *Joseph Story on the Constitution*.<sup>xi</sup> Section 1099, of the same treatise is revealing, the Constitution does not give the power of naturalization “. . .though there was a momentary hesitation, when the constitution first went into operation, whether the power might still be exercised by the states, subject only to the control of congress, . . .yet the power is now firmly established to be exclusive.(6) . . .” Note (6): “See The Federalist, No. 32, 42;[case sites] “A question is often discussed under this head, how far a person has a right to throw off his national allegiance, and to become time subject of another country, without the consent of his native country. This usually denominated the right of expatriation. It is beside the purpose of these Commentaries to enter into any consideration of this subject, **as it does not properly belong to any constitutional inquiry**. It may be stated, however, that there is no authority, which has affirmatively maintained the right,(**unless provided for in the laws of the particular country**), and there is a very strong **current of reasoning on the other side**, independent of the **known practice** and claims of the nations of modern Europe.[sites]”. It is not a proper constitutional inquiry because the Constitution does not give that power of Naturalization. “Known practice” is that of the “Common Law” and the other side would be that of Equity, the Natural Law.

“If we examine the language closely, and according to the rules of rigid construction always applicable to delegated powers, we will find the power to naturalize, in fact was not given to Congress, but simply the power to establish an uniform rule . . . ., It follows conclusively that

there is no mode by which a foreigner can be made expressly a citizen of a State, for I have already shown there is no such thing, technically as a citizen of the United States. Consequently, one who is created a citizen of the United States is certainly not made a citizen of any particular State. It follows, that as it is only the citizens of the State who are entitled to all the privilege and immunities of citizens of the several States, if the process is left alone to the action of Congress through her federal tribunals, and in the form that they have adopted, then a distinction both in name and privileges is made to exist between citizens of the United States *ex vi termini*, and citizens of the respective States. To the former no privilege and immunities are granted; and it will hardly be contended, that political *status* can be derived by implication against express legal enactments. I cannot concede that such a result was ever contemplated, and yet it would be inevitable upon any other hypothesis, than that the “uniform rule,” declared by the Constitution, was intended to be prescribe for the action of the States, and that by this rule they were left to exercise, or not, their original power of naturalization.” [*Ex Parte- Frank Knowles, (1855) 5 Cal 300*]. Well, isn’t this a fine kettle of fish, the United States Government has been doing something unconstitutional from almost its beginning. But that doesn’t mean that they don’t have the power to do what they do this authority comes from the “civil war amendments” (another story) read *United States Constitution the Fourteenth Amendment Fact or Fiction* by Gordon W. Epperly. See end note 3.

I’ve quoted *MINOR V. HAPPERSETT* [*MINOR v. HAPPERSETT, (1874) 21 Wall. 162, 22 Led 627. Cases on Constitutional Law (1928) by Dudley O McGovney, Professor of Law in the University of California*] several times, this is a very interesting case, Mrs. Minor was denied suffrage (vote) by Mr. Happersett (registrar), and she sued for the right and it was appealed to the supreme court, when the Missouri supreme court denied her, relying on its constitution which gave the privilege only to men, the case went to the Supreme Court of the United States. The court decision was in 1874, the case doesn’t say, but Mrs. Minor was probably born before the civil war to parents that were citizens of Missouri, making her a citizen of Missouri, “. . . The Fourteenth Amendment did not affect the citizenship of women any more than it did of men. In this particular, therefore, the rights of Mrs. Minor do not depend upon the Amendment. She has always been a citizen from her birth,[which citizenship?] and entitled to all the privileges and immunities of citizenship. The Amendment prohibited the state, of which she is a citizen, from abridging any of her privileges and immunities as a citizen of the United States; but it did not

confer citizenship on her. That she had before its adoption. . .” The U.S. court found against her because suffrage for a women was not one of the privileges and immunities that were in effect at the time of the adoption of the United States Constitution. But, boy is this revealing: you can be a state citizen and still be protected by the federal government, state citizenship also makes you a U.S. citizen but the 14th didn’t create that citizenship.<sup>xii</sup> In *Prentiss v. Brennan, No. 11,385, 19 Fed Cas. 1278*, Mr. Justice Nelson says: “A person may be a citizen of the United States, and not a citizen of any particular state. This is the condition of citizens residing in the District of Columbia, and in the territories of the United States, or who have taken up a residence abroad, and others that might be mentioned . . .” [*Hammerstein v. Lyne, 1912, 200 Fed 165*]. I wonder what the others are?

### OATH OF ALLEGIANCE

“I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by law; that I will perform non-combatant service in the Arm Forces of the United States when required by law; that I will perform work of national importance under civilian direction when required by law; and that I take this obligation freely without mental reservation or purpose of evasion; so help me God.”

From: *How to become a U S citizen by Sally Schreudin 5<sup>th</sup> Ed.* (For what should be in an oath, read 8 U.S.C.A. §1448.) This is the oath that people take to become US citizens, the underlined clause is interesting, sounds like voluntary servitude. This gives a guide as to what has to be in an oath, the rejection of former allegiances with the pledge of fidelity to the nation of choice.

What have we learned:

1. The 14th created or at least expanded U.S. citizenship without an oath.
2. It takes people to make a nation.
3. Citizenship is governed by two different forms of Law: Equity and the Common Law.
4. Ones Citizenship comes from the nationality of your parents.

5. Citizenship is changed by renouncing allegiance and then taking an oath to another country.
6. United States citizens owe their allegiance to the 10 square miles of Washington D.C. through the 14th Amendment.
7. There is a difference between a citizen and a resident.
8. A resident is a title for an alien.
9. Citizens of one of the several states do not need the 14th Amendment for protection from government.
10. The original United States government/Congress never had the powers of naturalization.

This Federal Government is full of enigmas, I have searched and have not yet found any uniform rules on naturalization for state citizenship, and they seem to have left it up to the states. But, they continue to pass laws: *[14 July, (1870), Chapter 245, Section 7, Volume 16, Page 256; REVISED STATUES of THE UNITED STATES passed at the FIRST SESSION OF THE FORTY-THIRD CONGRESS, 1873-'74, Title XXX, NATURALIZATION, Sec. 2169, as Amended page 1435, R.S. 382]*: “The provisions of this Title shall apply to aliens being free white persons, and to aliens of African nativity and to persons of African descent.”(See § 2165; how an alien is admitted to be a citizen of the United States).

Also, the reader should be aware of *Title LXXI., pg.1082, of the Revised Statue's of the United States, of 1873-74, §§5551 to 5569, Acts of ,1818,1794, and 1800*, the first seizures that the U.S. executed were from these acts, the U.S. seized ships that were dealing in slaves. Art. I, § 9, of the United States Constitution: the states had till 1808 to import and populate their states at will with emigrants or slaves, this was the compromise placed in the Constitution between the slave and non-slave states. Read the notes in *Calero-Toledo v. Pearson Yacht Leasing, 40 L Ed 2d 452*. So, slavery was illegal within the jurisdiction of the United States. Then why the 13th Amendment? The 13th says “. . .within the United States. . .subject to their jurisdiction.” not within the several states. If the slavery issue, in the 13th Amendment is mute, what's left? Involuntary servitude? Except as a punishment for crime? The 13th Amendment was the start of this new Nation. See: *The Reconstruction Acts.*<sup>xiii</sup>

My words are only marks on paper, not to be taken as gospel, there are more questions than answers, and everyone needs to do their own research, thereby arriving at your own conclusion. How else can you defend your position? This Union of states can only be returned one people at a time. *The Law of Nations* says that the military government must recognize the civil government when it acts. And as the Sovereignty is in the people we must act individually in our civil capacity in order to resume our power. This is all food for thought, everyone who lives in a state of the Union and is a true state citizen will have dual nationality, first that of his adopted state and that of a United States Citizen/National when he is not within his state, for protection. See R.S. 2000 and 2001 codified at title 22 U.S.C.A. § 1731 and 1732, this comes from that same act of Congress of the 27th of July of 1868. Also, see the definition of the United States in *Black's Sixth Edition*, pg. 1533 "This term has several meanings. It may be the name of a sovereign occupying the position analogous to that of other sovereigns in family of nations [the 10 square miles of Washington D.C.], it may designate territory over which sovereignty of the United States extends [the overlay of the states and other trust territories], or it may be collective name of the states which are united by and under the Constitution [the true Union]. *Hooven & Allison Co. v. Evatt*, U.S. Ohio, 324 U.S. 652. . . .". I have just touched on this matter. All aspects of law seem to be encompassed by this subject: the Law of Nations, History, Equity, Common Law, Trusts, Military Law, etc. all need to be studied and understood. Here are two cases for the more advanced researcher:

"When a change of government takes place, from a monarchical to a republican government, the old form is dissolved. Those who lived under it, and did not choose to become members of the new, had a right to refuse allegiance to it, and to retire elsewhere. By being a part of the society subject to the old government, they had not entered into any engagement to become subject to any new form the majority might think proper to adopt. That the majority shall prevail is a rule posterior to the formation of government, and results from it. It is not a rule binding upon mankind in their natural state. There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellow men without his consent." [*Crudenv. Neale*, 2 N.C. 338 (1796) 2 S.E. 70.]<sup>xiv</sup>

"Participation in a system of charitable uses under the Law of Charitable Uses and Status of

Wills, among others, is voluntary. Once participation is discontinued for various reasons such as ‘breach of trust,’ and ‘lack of confidence’ the non participant, so separated from use, may assert rights to be restored to his prior status and condition.” [*Williams v. Williams, (1853) 8 N.Y.-4 Selden 525. McCartee v. Orphan Asylum Soc., 9 Cowen 511, 18 am. Dec. 516, quoting Blackstone’s Comm. 104*].<sup>xv</sup>

And in conclusion from a 1993 case *Jones v. Temmer, 829 F. Supp. 1226*: “The privileges and immunities clause of the **Fourteenth Amendment** protects few rights because it neither incorporates any of the Bill of Rights nor protects **all rights of individual citizens**. See *Slaughter-House Cases, 83 U.S.(16 Wall.) 36, 21 L.Ed. 394 (1873)*. Instead, this provision **protects only** those rights peculiar to being a **citizen of the federal government**; it **does not** protect those rights that relate to **state citizen**,\*\*\* Rather the provision protects only those rights peculiar to being a citizen of the United States; it **does not** protect those rights which relate to **state citizenship**.”

If you have an I.R.S. problem, be forewarned, *Title 26 U.S.C. 877*.

*Manumittere idem est quod extra manum vel postestatem ponere*. To manumit is the same as to place beyond power. Pg 965, Black’s, Sixth Edition. Manumit, to free from slavery or bondage. American Heritage dictionary.

Read “Our Enemy the State” by Albert S. Nock (1935)<sup>xvi</sup>

\* Note this is about Patriation not Expatriation, when done properly the one encompasses the other.

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- i Look it up. Black's Law Dictionary, Sixth Edition, or any good dictionary.
- ii <http://www.nara.gov/fedreg/codific/eos/e12612.html>
- iii <http://www.pyialaska.net/~swampy/amend> 14/Citizen v. citizen.txt
- iv See: JURISDICTION OVER FEDERAL AREAS WITHIN THE STATES, June 1957.  
<http://www.prostar.com/web/America/fdjrs.htm>
- v [www.factmonster.com/ce6/history/A0818039.html](http://www.factmonster.com/ce6/history/A0818039.html)
- vi <http://www.angelfire.com/or2/posterityclub/files/EXPATRIATION.htm>
- vii An immigrant is one who retains his allegiance to the country he came from and plans to return there, whereas an emigrant does not plan on returning to his former country and has announced his intentions to pledge his allegiance to his new country.
- viii This small but important sentence is in the Nationality Act of 1940, 54 Stat. 1137, Title 1, Section 1, Chapter 1, Definitions, Sec. 101, but has been conveniently omitted from the code.
- ix <http://presys.com/e/k/ekklesia/rvd.htm>
- x See: NATURALIZATION @ [www.alaska.net/bouvier1856\\_na.html](http://www.alaska.net/bouvier1856_na.html)
- xi [http://www.constitution.org/js/js\\_316.txt](http://www.constitution.org/js/js_316.txt)
- xii This case was also cited in *U S v Cruikshank*, 92 U.S. 542 (1875). Also see Van Valkenburg v Brown, 43 Cal. 43 (1872), this case arrived at the same conclusion.
- xiii [http://www.jusbelli.com/1867\\_attorney\\_opinion.html](http://www.jusbelli.com/1867_attorney_opinion.html)
- xiv <http://www.skyhawkbbs.com/public/WordReference.html>
- xv <http://presys.com/~ekklesia/cvr.htm>
- xvi [www.barefootsworld.net/nockoets1.html](http://www.barefootsworld.net/nockoets1.html)