

From: GARY NORTINGTON
Date: 11/1/2018 4:17:17 PM
To: Rudy Davis

Attachments: □

Bro. Rudy: Prior sending of this had errors so this is resent to replace it. I just had a beautiful walk in the Autumn rain. GLORIA DIOS!!!

DEEP STATE COUP D'ETAT #7:

COMMUNIST DECEPTION ON BIRTHRIGHT CITIZENSHIP:

DEMONRATS have deceitfully used their tactic of INCREMENTALISM to change the PUBLIC'S understanding of our history and laws (see DEEP STATE #3, paragraph 4, "Another tactic..."). DEMONRATS falsely say anyone born in the United States automatically becomes a Citizen of the United States in attempt to fals expand their voting base. The HISTORICAL LEGISLATIVE RECORD of enacting any law must be considered the LEGISLATIVE INTENT of that law, not a recent COMMUNIST-DEMONRAT FRAUD of alleged Statutory Construction.

LEGISLATIVE INTENT & RECORD:

The U.S. Supreme Court ruled on LEGISLATIVE INTENT regarding meaning of any law as follows:

"Even the most basic general principles of statutory construction must yield to clear contrary evidence of legislative intent". NEUBERGER v COMMISSIONER, 311 US 83, 88 (1940).

"Reports to Congress accompanying the introduction of proposed laws may aid the courts in reaching the true meaning of the legislature in cases of doubtful interpretation". CAMINETTI v UNITED STATES, 242 US 470, 490 (1917). Therefore, the RADICAL LEFT-WING's unduly biased CONSTRUCTION of Statutory Meaning has NO STANDING.

U.S. CITIZENS ???:

U.S. Citizenship is based on the first clause of the 14th Amendment which says: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside". U.S. CONSTITUTION, AMENDMENT 14, clause 1. Qualifying phrase of this clause is "SUBJECT TO THE JURISDICTION THEREOF". This was put in the 14th Amendment to insure that the then recently freed slaves had Rights and Privileges of all Citizens. The LEGISLATIVE RECORD made by writers of the 14th Amendment, as said by Representative Jacob Howard of Michigan, intended that: "The Amendment will not, of course, include foreigners, aliens," visitors, diplomats and children born thereof. In a case on voting rights the U.S. Supreme Court ruled on 14th Amendment Citizenship: "A Native American, not being a citizen of the United States under the 14th Amendment of the Constitution, is deprived of no right secured by the 15th Amendment" (Citizens' Right to vote). JOHN ELK v WILKINS, 112 US 94, 109 (1884). Therefore, a Native American despite being born within the United States was then NOT a Citizen thereof, as any child born of a foreign national is NOT NOW a citizen of the United States.

NON-U.S. CITIZENS:

Native Americans were NOT United States Citizens until Congress enacted Title 8 U.S. CODE, SECTION 1401(b), as one part of "The 1934 Indian Civil Rights Act".

TITLE 8 UNITED STATES CODE, SECTION 1401 defines CITIZENSHIP of the first clause of the 14th Amendment that: "The following shall be nationals and citizens of the United States at birth:

(a). a person born in the United States, and subject to the jurisdiction thereof;

(b). a person in the United States who is a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: PROVIDED, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property".

TITLE 8 U.S. CODE, SECTION 1401(a) & (b). Before any child of a foreign national can become a CITIZEN of the United States, Congress would have to first pass a Public Act of Positive Law creating such a statute. Therefore, children born of foreign nationals are not automatically citizens of the United States solely by the act of being born therein.

ENFORCING THE NATIONAL BORDER:

Some falsely say the POSSE COMITATUS law prohibits using Armed Forces to secure the Southern border of the United States from invasion. TITLE 18 USC, SEC. 1385, on POSSE COMITATUS mandates:

"Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the ARMY or the AIR FORCES as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both". TITLE 18 U.S. CODE, SECTION 1385. Note that the POSSE COMITATUS law only prohibits use of the ARMY and AIR FORCES of the United States from being used within the United States.

Title 10 U.S. Code, Section 246, which describes many of us as MILITIA says:

"Sec. 246. MILITIA; COMPOSITION AND CLASSES

(a) The militia of the United States consists of all able-bodied males at least 17 years of age and, except as provided in section 313 of title 22 [22 USC Sec. 313] under 45 years of age, who have made a declaration of intention to become, citizens of the United States and of the female citizens of the United States who are members of the National Guard.

(b) The classes of militia are--

(1) the organized militia, which consists of the National Guard and the Naval Militia; and

(2) the unorganized militia, which consists of the members of the militia who are not members of the National Guard or the Naval Militia.

(redesignated from 10 USC 311 on 23 DEC 2016) (PL 114-328; 130 STAT 2497)".

Notice the MILITIA Statute does NOT include the many U.S. CITIZENS who are members of ARMY and AIR FORCES (created from the ARMY in 1947) named in the POSSE COMITATUS Statute. Therefore, the Coast Guard, Navy, Marines and Paramilitary Forces of the United States who are the MILITIA may protect our NATIONAL borders.

The Holy Bible says to RIGHTLY DIVIDE THE WORD which should apply to all aspects of our lives. Therefore, the SATANIC DECEPTION of COMMUNIST-DEMONRATS that the MILITIA cannot protect our borders from the foreign invaders described in COUP D'ETAT #6 is a lie straight from the Pits of Hell to be exposed by the Light.