

**RESOLUTION OF THE CONSTABLE OF THE 9TH WARD OF THE
CITY OF SUNBURY, COUNTY OF NORTHUMBERLAND,
COMMONWEALTH OF PENNSYLVANIA
RESOLUTION 2013-1**

**A RESOLUTION, WHICH SHALL BE KNOWN AND MAY BE CITED
AS THE “2ND AMENDMENT PRESERVATION RESOLUTION.”
TO PREVENT FEDERAL, STATE, OR LOCAL INFRINGEMENT
ON THE RIGHT TO KEEP AND BEAR FIREARMS, FIREARMS
ACCESSORIES, OR AMMUNITION; NULLIFYING ALL FEDERAL,
STATE, AND LOCAL ACTS IN VIOLATION OF THE 2ND
AMENDMENT TO THE UNITED STATES CONSTITUTION AND
ARTICLE I, SECTION 21 “RIGHT TO BEAR ARMS” OF THE
CONSTITUTION OF THE COMMONWEALTH OF
PENNSYLVANIA.**

WHEREAS, the 2nd Amendment to the United States Constitution states:

“A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.”,

WHEREAS, the Constitution of the Commonwealth of Pennsylvania, Article I, Section 21 (“Right to Bear Arms”) states:

“The right of the citizens to bear arms in defense of themselves and the State shall not be questioned.”,

WHEREAS, the Constitution of the Commonwealth of Pennsylvania, Article I, Section 1 (“Inherent Rights of Mankind”) states:

“All men are born equally free and independent, and have certain inherent and inalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.”,

WHEREAS, the 2nd Amendment to the Constitution of the United States reserves to the people the right to keep and bear arms as that right was understood at the time that Pennsylvania was admitted to statehood in 1787, and the guaranty of the right is a matter of contract between the Commonwealth and people of Pennsylvania and the United States as of the time that the compact with the United States was agreed upon and adopted by Pennsylvania and the United States in 1787,

WHEREAS, Article I, Section 21 of the Constitution of the Commonwealth of

Pennsylvania clearly secures to Pennsylvania citizens, and prohibits government interference with, the right of individual Pennsylvania citizens to keep and bear arms,

WHEREAS, the Constitution of the Commonwealth of Pennsylvania, Article VI, Section 3 states:

"Senators, Representatives and all judicial, State and county officers shall, before entering on the duties of their respective offices, take and subscribe the following oath or affirmation before a person authorized to administer oaths. "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity." The oath or affirmation shall be administered to a member of the Senate or to a member of the House of Representatives in the hall of the House to which he shall have been elected. Any person refusing to take the oath or affirmation shall forfeit his office."

WHEREAS, pursuant to the Oath of Office, all state and federal legislative, judicial and executive officers are sworn to protect and defend the U.S. Constitution from all enemies foreign and domestic,

WHEREAS, laws not passed in "pursuance" of the Constitution are null and void from their inception,

WHEREAS, all federal, state or local acts, actions, orders, resolutions, rules, or regulations regarding firearms, firearms accessories, or ammunition are a violation of the 2nd Amendment to the United States Constitution, as well as Article I, Sections 1 and 21 of the Constitution of the Commonwealth of Pennsylvania,

THEREFORE, BE IT RESOLVED,

For the above and foregoing reasons, I, Edwin Clarence Quiggle, Jr., Constable of the 9th Ward of the City of Sunbury, County of Northumberland, Commonwealth of Pennsylvania declare that all federal, state, or local acts, actions, orders, resolutions, rules, or regulations regarding firearms, firearms accessories, or ammunition – past, present, or future – shall be in violation of the 2nd Amendment to the Constitution of the United States and Article I, Sections 1 and 21 of the Constitution of the Commonwealth of Pennsylvania, and are not authorized by the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania, and violate its true meaning and intent as given by the Founders and Ratifiers, and were and are null and void from their inception and will not be implemented, enforced, or otherwise supported in this Commonwealth by the Office of Constable of the 9th Ward of the City of Sunbury,

and it is the express policy of the Constable that no officer, employee, or agent of the Constable's Office, including any Deputy Constable or member of a posse under the command of the Constable or a Deputy Constable, may implement, enforce or otherwise support, directly or indirectly, any of the above noted unconstitutional federal, state, or local acts, actions, orders, resolutions, rules, or regulations regarding firearms, firearms accessories, or ammunition, and that they are specifically rejected by the Constable and the Office of Constable for the 9th Ward of the City of Sunbury. A violation of such policy by a Constable, Deputy Constable, officer, employee, agent, or member of a posse under the command of the Constable or a Deputy Constable, will be deemed a violation of their oath of office and/or employment, and will subject them to discipline up to and including termination and potential arrest,

FURTHER, it shall be the duty of the Constable and the Office of Constable for the 9th Ward of the City of Sunbury, within the Commonwealth of Pennsylvania, to adopt and enact any and all measures as may be necessary to prevent the enforcement of any federal, state or local acts, laws, orders, rules, or regulations in violation of the 2nd Amendment to the Constitution of the United States along with Sections 1 and 21 of the Pennsylvania Constitution or any violation of this resolution,

FURTHER, in keeping with my oath to support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, I hereby express my commitment to interpose this office and stand in defense of all persons including citizens and lawful residents of the United States within this Commonwealth, against any and all attempts by the United States Armed Forces or any other agents of the United States government to subject the people to unconstitutional seizure of their firearms, firearms accessories, or ammunition,

FURTHER, I urge the Representatives and Senators of the General Assembly of this Commonwealth to commence immediately efforts to support and secure passage and enactment of the following pieces of legislation, House Bill 357, the Right To Bear Arms Protection Act, introduced by Representative Metcalfe, House Bill 475, the Firearms Freedom Act, introduced by Representative Gabler, House Bill 448, the Preservation and Protection Right to Keep and Bear Arms in Motor Vehicles Act, introduced by Representative Pyle,

FURTHER, I urge the Sunbury City Council and the Mayor of the City of Sunbury to commence immediately efforts to introduce, support, and secure passage and enactment of a 2nd Amendment Preservation Ordinance,

FURTHER, I support and commend Northumberland County Commissioner Stephen Bridy for proposing a 2nd Amendment Preservation Resolution, and urge the Northumberland County Commissioners to commence immediately efforts to support, and secure passage and enactment of a 2nd Amendment Preservation Resolution,

BE IT FURTHER RESOLVED, within thirty (30) days from the execution hereof, a copy of this resolution shall be sent, via mail, fax, or e-mail with a return receipt, to the 108th District's Representative and the 27th District's Senator of the General Assembly of this Commonwealth, and to each Councilman of the Sunbury City Council and to the Mayor of the City of Sunbury, either directly or through the City Clerk's office, by the Constable or an agent of the office of Constable,

BE IT FURTHER RESOLVED, recognizing my oath-bound duty to support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, as well as recognizing the duty of "We the People" to protect our unalienable natural rights to "Life, Liberty, and the pursuit of Happiness" as alliterated in the Declaration of Independence, I, Constable Edwin Clarence Quiggle, Jr. hereby adopt this resolution.

Signed, this 26th Day of March, 2013, by: Ed Quiggle Jr.

the duly-elected Constable of the 9th Ward of the City of Sunbury, County of Northumberland, Commonwealth of Pennsylvania.

REFERENCES AND SOURCE DOCUMENTS

Constitution of the United States of America

http://www.archives.gov/exhibits/charters/constitution_transcript.html

Constitution of the Commonwealth of Pennsylvania

http://sites.state.pa.us/PA_Constitution.html

Right To Bear Arms Protection Act, House Bill 357 of 2013

<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2013&sind=0&body=H&type=B&BN=0357>

Firearms Freedom Act, House Bill 475 of 2013

<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2013&sind=0&body=H&type=B&BN=0475>

The Preservation and Protection Right to Keep and Bear Arms in Motor Vehicles Act,
House Bill 448 of 2013

<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2013&sind=0&body=H&type=B&bn=0448>

Model 2nd Amendment Preservation Resolution for Local Governments

<https://princelaw.files.wordpress.com/2013/01/gilberton-2a-preservation-act.pdf>

Model 2nd Amendment Preservation Ordinance for Local Governmens

<http://tenthamentcenter.com/legislation/2nd-amendment-preservation-act/>