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OBAMA INELIGIBILITY EVIDENCE DATABASE

THIS ALSO PROVES THAT CRUZ & RUBIO ARE INELIGIBLE!

DO YOUR JOB, MEDIA!!

The issue with Obama is NOT where he was born, but whether or not he is an Article 2, Section 1 Natural Born Citizen, as is required by the US Constitution, EVEN IF HE WAS BORN IN HAWAII. Regardless of where Obama was born, he is still not and never can be a natural born citizen (explained below), because his father was never a US citizen.

We've done the research, now millions of Americans know the truth. More and more people are waking up, because they've finally taken the time to LOOK at the EVIDENCE! A US Natural Born Citizen is a "citizen by nature" or a citizen "according to Natural Law" which is defined as someone born to TWO citizen parents and is confirmed in the Supreme Court cases of Minor v. Happersett & Elk v. Wilkins, which I address below.

ALL facts, evidence and cites are from Government Documents!

DEFINITION OF NATURAL BORN ACCORDING TO THE FOUNDERS/FRAMERS

The earliest mention found on "Natural Born Citizen" is in the Constitutional Drafts of 1787, given by John Jay, in a letter he wrote to George Washington. The timeline of these letters and Washington's reply are below.

Natural Born Citizen in the Constitutional drafts:

June 18th, 1787 - The "Original" Draft of the Constitution suggests in Article IX, Section 1 that: "No person shall be eligible to the office of President of the United States unless he be now a Citizen of one of the States, or hereafter be born a Citizen of the United States." *(Works of Alexander Hamilton: Miscellanies, 1774-1789, page 407).*

July 25, 1787 (5 weeks later) - John Jay writes a letter to General Washington (president of the Constitutional Convention) saying: "Permit me to hint, whether it would be wise and seasonable to provide a strong check to the admission of Foreigners into the administration of our national Government; and to declare expressly that the Commander in Chief of the American army shall not be given to nor devolve on, any but a natural born Citizen." [the word born is underlined in Jay's letter which signifies the importance of allegiance from birth.] *(Records of the Federal Convention of 1787 [Farrand's Records, Volume 3] LXVIII, page 61. John Jay to George Washington)*

September 2nd, 1787 (5 weeks later) George Washington pens a letter to John Jay. The last line reads: "I thank you for the hints contained in your letter"
(Records of the Federal Convention of 1787 [Farrand's Records, Volume 3] page 76.)

September 4th, 1787 (6 weeks after Jay's letter and just 2 days after Washington wrote back to Jay) - The "Natural Born Citizen" requirement is now found in their drafts. The proposal passed unanimously without debate.
(Madison's notes of the Convention - September 4th, 1787)

The next instance of "natural born citizen" is from the Cong. Records in 1862 and is given by Representative John Bingham (author of the 14th amendment) in which he states: *"All from other lands, who by the terms of [congressional] laws and a compliance with their provisions become naturalized, are adopted citizens of the United States;* ***all other persons born within the Republic, of parents owing allegiance to no other sovereignty, are natural born citizens****. Gentleman can find no exception to this statement touching natural-born citizens except what is said in the Constitution relating to Indians."*
(Congressional Globe, House of Representatives 37th Congress, 2nd Session, pg 1639)

The Declaration of Independence tells us that the Founders adopted the "Laws of Nature and of Nature's God" as stated in the first sentence:
"When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the "Laws of Nature and of Nature's God entitle them".

Vattel's Law of Nations was written on Natural Law (described below how Ben Franklin got it to the Colonies). Vattel took many of the great Natural Law Scholars' works (Grotius, Pufendorf, Burlamaqui) and modernized them by combining them into 4 separate books, this is why the Founders found him so refreshing and labeled him the authority on Natural Law. (Proven Below)

The Index of the Congressional Records of the the 29th Congress, 2nd Session clearly states under the term "ALLEGIANCE" to look to Vattel:
http://memory.loc.gov/cgi-bin/ampage?collId=llcg&fileName=015/llcg015.db&recNum=841&itemLink=D%3Fhlaw%3A1%3A.%2Ftemp%2F~ammem_EZQS%3A%3A%230150843&linkText=1

The West Virginia Supreme Court tells us to "Look to Vattel on Citizenship" (pg 191)
Test of Citizenship. 1 Kent, 82, 83, 86. Vattell, 101, 212, 213, 214
http://books.google.com/books?id=oKwUAAAAYAAJ&pg=PA191&dq=%22vattell%22&hl=en&sa=X&ei=zMepUJ-uL7Gu0AGgtYD4BQ&ved=0CDoQ6AEwAQ#v=onepage&q=%22vattell%22&f=false

The cite for Vattel from the link above, is page 101, section 212 of his "*Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns*" and precisely reflects the Civil Rights Act & Rep. Bingham, which clearly states the text above from Vattel's Law of Nations.

VATTEL'S "THE LAW OF NATIONS OR PRINCIPLES OF NATURAL LAW"
(Supreme Court cases supporting Vattel definition of NBC are listed below)

§212. Citizens and natives:
"The citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. The natives, or natural-born citizens, are those born in the country, of parents who are citizens. As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights. The society is supposed to desire this, in consequence of what it owes to its own preservation; and it is presumed, as matter of course, that each citizen, on entering into society, reserves to his children the right of becoming members of it. The country of the fathers is therefore that of the children; and these become true citizens merely by their tacit consent. We shall soon see whether, on their coming to the years of discretion, they may renounce their right, and what they owe to the society in which they were born. I say, that, in order to be of the country, it is necessary that a person be born of a father who is a citizen; for, if he is born there of a foreigner, it will be only the place of his birth, and not his country."

Sec. 1992 of the United States Revised statutes of 1877 defines "Who are Citizens":
http://books.google.com/books?id=gEMFAAAAYAAJ&pg=PA351&dq=revised+statutes+citizens+1992&hl=en&sa=X&ei=7WODUZ_kDdb94AONg4DQDg&ved=0CDQQ6AEwAA#v=onepage&q=revised%20statutes%20citizens%201992&f=false

The Annotated Statutes of Wisconsin (1889) (AFTER the 14th amendment) clearly states "Who are Citizens" and uses the same exact phrase from the Civil Rights Act too!
http://books.google.com/books?id=9q8wAQAAMAAJ&pg=PA15&dq=supreme+court+section+1992+citizenship&hl=en&sa=X&ei=JnDKUISzC-qH0QHN9IHoDA&ved=0CD0Q6AEwAQ#v=onepage&q=supreme%20court%20section%201992%20citizenship&f=false

Section 1 of the Civil Rights Act of 1866 clearly defines who are citizens:

"all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States"
http://www.law.cornell.edu/usc-cgi/eget_external.cgi?type=statRef&target=date:nonech:nonestatnum:14_27

"By nature" or according to natural law, Obama was a British Subject at birth, because his father was a British subject (explained later). This means that Obama was "subject to a foreign power" and was "by law" not eligible to be a US citizen at birth per the CRA.

Because the Civil Rights Act was not amended to the Constitution, Congress worried that future lawmakers or the courts would try to change or appeal it, so they found a way to incorporate it into the Constitution by way of the 14th amendment (also ratified in 1868).

Many think the 14th amendment replaced the definition of the Civil Rights Act definition of citizen, however the Revised Statutes of 1873 enacted 5 years after the 14th amdt uses the Civil Rights Act definition and not the 14th amendment's definition of citizen:

SUPREME COURT PRECEDENT ON NATURAL BORN CITIZEN

Minor v. Happersett, 88 U.S. 162 (1874)

"The Constitution does not, in words, say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. As to this class there have been doubts, but never as to the first."

Elk v. Wilkins 112 U.S. 94 (1884)

"The distinction between citizenship by birth and citizenship by naturalization is clearly marked in the provisions of the constitution, by which 'no person, except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president;' and 'the congress shall have power to establish an uniform rule of naturalization.' Const. art. 2, 1; art. 1, 8. By the thirteenth amendment of the constitution slavery was prohibited. The main object of the opening sentence of the fourteenth amendment was to settle the question, upon which there had been a difference of opinion throughout the country and in this court, as to the citizenship of free negroes, (Scott v. Sandford, 19 How. 393;) and to put it beyond doubt that all persons, white or black, and whether formerly slaves or not, born or naturalized in the United States, and owing no allegiance to any alien power, should be citizens of the United States and of the state in which they reside. Slaughter-House Cases, 16 Wall. 36, 73; Strauder v. West Virginia 100 U.S. 303 , 306

This section contemplates two sources of citizenship, and two sources only: birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their political jurisdiction, and owing them direct and immediate allegiance."

The Venus, 12 U.S. 8 Cranch 253 (1814)

Chief Justice Marshall (partial concur partial dissent)

"The whole system of decisions applicable to this subject rests on the law of nations as its base. It is therefore of some importance to inquire how far the writers on that law consider the subjects of one power residing within the territory of another, as retaining their original character or partaking of the character of the nation in which they reside.

Vattel, who, though not very full to this point, is more explicit and more satisfactory on it than any other whose work has fallen into my hands, says:"

"The citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. The natives or indigenes are those born in the country of parents who are citizens. Society not being able to subsist and to perpetuate itself but by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights."

As you can see, the judge is citing Vattel, author of the LAW OF NATIONS, OR PRINCIPLES OF THE LAW OF NATURE for his definition of natural born citizen, which is exactly where our Founder's got their definition. Vattel's full definition of natural born citizen, AGAIN, reads as follows: § 212. Citizens and natives.

"The citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. The natives, or natural-born citizens, are those born in the country, of parents who are citizens. As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights. The society is supposed to desire this, in consequence of what it owes to its own preservation; and it is presumed, as matter of course, that each citizen, on entering into society, reserves to his children the right of becoming members of it. The country of the fathers is therefore that of the children; and these become true citizens merely by their tacit consent. We shall soon see whether, on their coming to the years of discretion, they may renounce their right, and what they owe to the society in which they were born. I say, that, in order to be of the country, it is necessary that a person be born of a father who is a citizen; for, if he is born there of a foreigner, it will be only the place of his birth, and not his country."

Supreme Court Precedent that proves that the Law of Nations, is the Law of the Land, along with the Constitution, because it is a Treaty!

The Nereide - 13 U.S. 388 (1815)

"It is not for us to depart from the beaten track prescribed for us, and to tread the devious and intricate path of politics. Even in the case of salvage, a case peculiarly within the discretion of courts because no fixed rule is prescribed by the law of nations, Congress has not left it to this department to say whether the rule of foreign nations shall be applied to them, but has by law applied that rule. If it be the will of the government to apply to Spain any rule respecting captures which Spain is supposed to apply to us, the government will manifest that will by passing an act for the purpose. Till such an act be passed, the Court is bound by the law of nations which is a part of the law of the land."

Banco Nacional de Cuba v. Sabbatino 376 U.S. 398 (1964)

As early as 1793, Chief Justice Jay stated in Chisholm v. Georgia that, "Prior . . . to that period [the date of the Constitution], the United States had, by taking a place among the nations of the earth, become amenable to the law of nations." 2 U. S. 2 Dall. 419 at 2 U. S. 474. And, in 1796, Justice Wilson stated in Ware v. Hylton:

"When the United States declared their independence, they were bound to receive the law of nations, in its modern state of purity and refinement." 3 U. S. 3 Dall. 199 at 3 U. S. 281.

Chief Justice Marshall was even more explicit in The Nereide when he said:

"If it be the will of the Government to apply to Spain any rule respecting captures which Spain is supposed to apply to us, the Government will manifest that will by passing an act for the purpose. Till such an act be passed, the Court is bound by the law of nations, which is a part of the law of the land." 13 U. S. 9 Cranch 388 at 13 U. S. 423.

As to the effect such an Act of Congress would have on international law, the Court has ruled that an Act of Congress ought never to be construed to violate the law of nations if any other possible construction remains. MacLeod v. US, 229 U. S. 416, 229 U. S. 434 (1913)

Many that support Obama try to say that the Founders did not follow Vattel and that the definition did not come from his writings. However we have proven that Vattel was held to the highest authority, by many of the Founders and cited over 91 times from 1789 to 1845, more than any other authority! Including: Cases citing Vattel

Also, remember hearing the story about George Washington and the overdue library book that he failed to return, which racked up $300,000 in fines? Wanna try and guess the name of the book? You got it...VATTEL'S "LAW OF NATIONS!", COINCIDENCE?

CLICK HERE FOR THE STORY   Click here for Direct Proof from the Library

Then In 1775, you have letters from Benjamin Franklin himself, thanking Charles Dumas for the 3 copies of Vattel that he sent and the letter states:

"I am much obliged by the kind present you have made us of your edition of Vattel. It came to us in good season, when the circumstances of a rising state make it necessary frequently to consult the Law of Nations." Click here for Actual Letter

This letter PROVES beyond doubt that the Founders consulted Vattel's Law of Nations, while writing the Declaration of Independence and the Constitution (a rising state)!

Then you have Congressional records proving that they again, in 1794 ordered more copies of Vattel's Law of Nations as shown here: "Ordered, That the Secretary purchase Blackstone's Commentaries, and Vattel's Law of Nature and Nations, for the use of the Senate."

Plus, in 1772, the rector of William & Mary College asked Thomas Jefferson to add an addition, which was halted by the Revolutionary War. Later, as the Governor of Virginia and a member of the William & Mary Board of Visitors, Jefferson drafted reforms of the curriculum and governance of the College and chairs of Medicine, Law and Modern Languages were introduced. The law book that was used for the law course was Vattel's "Law of Nations".
SOURCE FROM WILLIAM & MARY

Natural Born Citizen in the Congressional Debates

The Civil Rights Act of 1866 was an act to end slavery in the U.S. and make the freed slaves, citizens. The discussion of these debates actually having been quoted by Justice Gray in United States v. Wong Kim Ark 169 U.S. 649:
"During the debates in the senate in January and February, 1866, upon the civil rights bill, Mr. Trumbull, the chairman of the committee which reported the bill, moved to amend the first sentence thereof so as to read: 'All persons born in the United States, and not subject to any foreign power, are hereby declared to be citizens of the United States, without distinction of color.' Mr. Cowan, of Pennsylvania, asked 'whether it will not have the effect of naturalizing the children of Chinese and Gypsies, born in this country?' Mr. Trumbull answered, 'Undoubtedly;' *(Congressional Globe, 39th Congress, 1st Session p. 498, 573, 57)*

When the Civil Rights Act went over to the House, Representative John Bingham of Ohio, father of the future 14th amendment, confirms the understanding and construction the framers used in regards to birthright and jurisdiction while speaking on civil rights of citizens in the House on March 9, 1866 and addressing Trumbull's amendment to the bill (Civil Rights Act):
"I find no fault with the introductory clause [S 61 Bill], which is simply declaratory of what is written in the Constitution, that every human being born within the jurisdiction of the United States of parents not owing allegiance to any foreign sovereignty is, in the language of your Constitution itself, a natural born citizen" *(1866 Congressional Globe, House of Representatives, 39th Congress, 1st Session, pg 1291)*

The 14th amendment was introduced to render the Civil Rights act constitutional and amend it to the Constitution. It passed in the House, but failed in the Senate until Senator Jacob Howard's amendment to the bill (the citizenship clause) was introduced. In 1866 while introducing bill H.R. 127 (14th Amendment) Jacob M. Howard (Author of the Citizenship clause) states:
"This amendment which I have offered 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 the jurisdiction thereof, is by virtue of natural law and national law a citizen of the United States."
(Congressional Globe, Senate, 39th Congress, 1st Session, pg 2890)

The law he was referring to was the Civil Rights Act which just recently passed and states:
"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States;"
Civil Rights Act of 1866, 14 Stat. 27.

After the Civil Rights Act of 1866 had been enacted into law over President Andrew Johnson's veto, some members of Congress voted for the 14th amendment in order to eliminate doubts about the constitutionality of the Civil Rights Act of 1866, or to ensure that no subsequent Congress could later repeal or alter the main provisions of that Act. Thus, the Citizenship Clause in the 14th Amendment parallels citizenship language in the Civil Rights Act of 1866, and likewise the Equal Protection Clause parallels non discrimination language in the 1866 Act.

When Obama was born his father was subject to a foreign power and was a British subject. His father was governed under the British Nationality Act of 1948 when Obama was born, which also confirmed/made Obama a British Subject at birth and one cannot become a natural born citizen, after the fact: British Nationality Act of 1948
Part II ~ Citizenship by birth or descent:
5.(1) SUBJECT TO THE PROVISIONS OF THIS SECTION, A PERSON BORN AFTER THE COMMENCEMENT OF THIS ACT SHALL BE A CITIZEN OF THE UNITED KINGDOM AND COLONIES BY DESCENT IF HIS FATHER IS A CITIZEN OF THE UNITED KINGDOM AND COLONIES AT THE TIME OF THE BIRTH.

Everyone seems to forget the phrase "subject to the jurisdiction thereof", in the 14th amendment, which is why the law/amendment went astray. The Congressional records of the 14th amendment debates, give us Trumbull's exact definition of the intent of his Citizenship Clause amendment to the bill. Who would know the intent of the Citizenship Clause better than anyone, than the person who wrote the clause himself? Senator Lyman Trumbull, Chairman of the Judiciary Committee, author of the Thirteenth Amendment, and the one who inserted the citizenship clause into the 14th amendment along with it's author Jacob Howard, states on the record:

"The provision is, that 'all persons born in the United States, and subject to the jurisdiction thereof, are citizens.' That means 'subject to the complete jurisdiction thereof.' What do we mean by 'complete jurisdiction thereof?' Not owing allegiance to anybody else. That is what it means." (Congressional Globe, Senate, 39th Congress, 1st Session, pg 2893)

Trumbull's words prove without a doubt that "subject to the jurisdiction thereof" means the exact same thing as "not owing allegiance to any foreign power. We must listen to our Founder, John Adams, when he stated in his diary on Dec. 27, 1765 (He's even citing Vattel): http://www.masshist.org/publications/apde/portia.php?id=DJA01d366

"In unforeseen Cases, i.e. when the State of things is found such as the Author of the Disposition has not foreseen, and could not have thought of, we should rather follow his Intention than his Words, and interpret the Act as he himself would have interpreted it, had he been present, or conformably to what he would have done if he had foreseen the Things that happened. This Rule is of great Use to Judges. Vattel. Page 230. B. 2. C. 17. §. 297. If a Case be presented, in which one cannot absolutely apply the well known Reason of a Law or a Promise, this Case ought to be excepted. B. 2. C. 17. §. 292. Every Interpretation that leads to an Absurdity, ought to be rejected. Page 222 B. 2. C. 17. §. 282. Every Impossibility, physical and moral is an Absurdity."

Further supporting my claims is the Naturalization Oath of Allegiance to the United States of America which states: "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;" *8 USC § 1448 - Oath of renunciation and allegiance.*

Now why would immigrants not born here and becoming citizens, be required to renounce all allegiance to any foreign sovereignty, but people born here to immigrants are not held to that same allegiance requirement? That just makes no sense. Full allegiance is required for citizenship and the Naturalization Oath and Civil Rights Act prove that the Founders did not recognize dual citizenship and required full allegiance in return for citizenship.

http://supreme.vlex.com/vid/brown-v-keene-20073924 (pg 112 114)

"Mr Brown is stated to be a citizen or resident of Louisiana: residence is not citizenship. The allegation is in the alternative, which admits the difference; and there is not, therefore, a distinct allegation of citizenship."

Page 696 (citing Vattel on Citizenship & Patents), 695 (citing Vattel on Patents)

780 (for who, it may be asked, is a citizen?)
http://books.google.com/books?id=_5MDAAAAQAAJ&pg=PA596&dq=Reports+of+Cases+Decided+in+the+Supreme+Court+vattel&hl=en&sa=X&ei=BzWqUNjVDM6x0QGhuICoCg&sqi=2&ved=0CDcQ6AEwAg#v=onepage&q=vattel&f=false

Ruling cases

MY VIDEOS WITH PROOF OF INELIGIBILITY:

Obama literary agent claims Obama was Kenyan-born ~ Now DOZENS more articles confirm the same!

2012 Vetting Obama: 100% proof Obama is a USURPER ~ 100% sourced w/govt documents

2012 Vetting Obama ~ Kenyan Parliament ADMITS Obama is NOT a Native American

2012 Vetting Obama NEW EVIDENCE on Obama's Birth Place ~ Is this the REAL Certificate?

2012 Vetting Obama: BARRY SOETORO ILLEGAL PRESIDENT ~100% SOURCED W/ GOVT DOCUMENTS

STILL NEED MORE EVIDENCE? GO HERE:

https://docs.google.com/document/d/16rU3S93srAeTJIy2t1OFwIDXvbAJb3lSGNwcAudxe-E/edit

WAKE UP AMERICA, YOU ARE BEING FOOLED AND THE MAINSTREAM MEDIA & CONGRESS ARE COVERING IT UP!

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JUST COPY AND PASTE THE FULL LIST INTO YOUR EMAIL

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fns@foxnews.com; jer@foxnews.com; newswatch@foxnews.com; foxreport@foxnews.com; atlarge@foxnews.com; happeningnow@foxnews.com; huckmail@foxnews.com; glennbeck@foxnews.com; ontherecord@foxnews.com; redeye@foxnews.com; special@foxnews.com; studiob@foxnews.com; warstories@foxnews.com; kelly@foxnews.com; journal@c-span.org; mbrooks@leo-law.com; david.westin@abc.com; evening@cbsnews.com;

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ALL INFO BELOW THIS LINE ARE NOTES AND NOT NECESSARILY EVIDENCE AGAINST OBAMA YET!

Pollard's Lessee v. Hagan (44 U.S. 212 1845)

Page 44 U.S. 225:

"It cannot be admitted that the King of Spain could, by treaty or otherwise, impart to the United States any of his royal prerogatives; and much less can it be admitted that they have capacity to receive or power to exercise them. Every nation acquiring territory, by treaty or otherwise, must hold it subject to the constitution and laws of its own government, and not according to those of the government ceding it. Vat. Law of Nations, b. 1, c. 19, s. 210, 244, 245, and b. 2, c. 7, s. 80."

Page 44 U. S. 229:

In the case of *Foster and Elam v. Neilson,* 2 Pet. 253, the right of the United States to this country underwent a very able and thorough investigation. And Chief Justice Marshall, in delivering the opinion of the Court, said:
"After these acts of sovereign power over the territory in dispute, asserting the American construction of the treaty, by which the government claims it, to maintain the opposite construction in its own courts would certainly be an anomaly in the history and practice of nations. If those departments, which are intrusted with the foreign intercourse of the nation, which assert and maintain its interests against foreign powers, have unequivocally asserted its rights of dominion over a country of which it is in possession, and which it claims under a treaty; if the legislature has acted on the construction thus asserted, it is not in its own courts that this construction is to be denied."

In the case of *Foster and Elam v. Neilson,* 2 Pet. 253, the right of the United States to this country underwent a very able and thorough investigation. And Chief Justice Marshall, in delivering the opinion of the Court, said:
The Chief Justice then discusses the validity of the grant made by the Spanish government, after the ratification of the treaty between the United States and France, and

it is finally rejected on the ground that the country belonged to the United States, and not to Spain, when the grant was made. The same doctrine was maintained by this Court in the case of *Garcia v. Lee,* 12 Pet. 511. These cases establish beyond controversy the right of the United States to the whole of this territory, under the treaty with France.

Alabama is therefore entitled to the sovereignty and jurisdiction over all the territory within her limits, subject to the common law, to the same extent that Georgia possessed it before she ceded it to the United States. To maintain any other doctrine is to deny that Alabama has been admitted into the Union on an equal footing with the original States, the Constitution, laws, and compact to the contrary notwithstanding. But her rights of sovereignty and jurisdiction are not governed by the common law of England as it prevailed in the colonies before the Revolution, but as modified by our own institutions.

In the case of *Martin and others v. Waddell,* 16 Pet. 410, the present CHIEF JUSTICE, in delivering the opinion of the Court, said:
"When the Revolution took place, the people of each State became themselves sovereign, and, in that character, hold the absolute right to all their navigable waters, and the soils under them for their own common use, subject only to the rights since surrendered by the Constitution."

Strader v. Graham Page 51 U. S. 96

The Constitution was, in the language of the Ordinance, "adopted by common consent," and the people of the territories must necessarily be regarded as parties to it, and bound by it, and entitled to its benefits, as well as the people of the then existing states. It became the supreme law throughout the United States. And so far as any obligations of good faith had been previously incurred by the Ordinance, they were faithfully carried into execution by the power and authority of the new government.

In fact, when the Constitution was adopted, the settlement of that vast territory was hardly begun, and the people who filled it and formed the great and populous states that now cover it became inhabitants of the territory after the Constitution was adopted, and migrated upon the faith that its protection and benefits would be extended to them and that they would in due time, according to its provisions and spirit, be admitted into the Union upon an equal footing with the old states. For the new government secured to them all the public rights of navigation and commerce which the Ordinance did or could provide for, and moreover extended to them when they should become states much greater power over their municipal regulations and domestic concerns than the Confederation had agreed to concede. The six articles, said to be perpetual as a compact, are not made a part of the new Constitution. They certainly are not superior and paramount to the

Constitution, and cannot confer power and jurisdiction upon this Court. The whole judicial authority of the courts of the United States is derived from the Constitution itself and the laws made under it.

[Letter from James Madison to Robert Walsh, November 27th, 1819, on the subject of the Missouri Compromise.](#)
"In conclusion, my opinion is, that the decision of the Circuit Court, upon the law arising upon the several pleas in bar, is correct, but that it is erroneous in having sustained the demurrer to the plea in abatement of the jurisdiction; that for this error the decision of the Circuit Court should be reversed, and the cause remanded to that court, with instructions to abate the action, for the reason set forth and pleaded in the plea in abatement.
In the aforegoing examination of this cause, the circumstance that the questions involved therein had been previously adjudged between these parties by the court of the State of Missouri, has not been adverted to; for although it has been ruled by this court, that in instances of concurrent jurisdiction, the court first obtaining possession or cognizance of the controversy should retain and decide it, yet, as in this case there had been no plea, either of a former judgment or of autre action pendent, it was thought that the fact of a prior decision, however conclusive it might have been if regularly pleaded, could not be incidentally taken into view"

http://www.scribd.com/doc/32427270/Modern-Law-Books (page 179, 272)

http://www.law.virginia.edu/pdf/racelaw/writing_competition07/first.pdf (page 5)
Moreover, no scholar of the Insular Cases has evaluated the doctrine in terms of the Court's adherence to the interpretive principles enshrined in the citizenship clause of the Fourteenth Amendment, such as the common law doctrine of jus soli. This long-standing doctrine provides that all persons born within the territorial domains of the state and who do not owe exclusive allegiance to another sovereign are natural born citizens, regardless of race or ethnicity.

http://www.law.virginia.edu/pdf/racelaw/writing_competition07/first.pdf (page 19)
Similarly, the Supreme Court of Massachusetts held in Kilham v. Ward, that "[t]he doctrine of the common law is that every man born within its jurisdiction is a subject of the sovereign of the country where he is born; and allegiance is not personal to the sovereign…it is due to him in his political capacity of sovereign of the territory where the person owing the allegiance was born. Thus, the interpretation of "birth within the allegiance" that predominated in U.S. courts was the same as under the common law:

that if a person is born in a territory subject to the actual control of the United States and is not subject to the allegiance of any other sovereign, that person is a native born citizen.

Tenth Amendment
The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Marbury v Madison makes this clear.
"It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each."

"If then the courts are to regard the constitution; and the constitution is superior to any ordinary act of the legislature; the constitution, and not such ordinary act, must govern the case to which they both apply."

"The judicial power of the United States is extended to all cases arising under the constitution. Could it be the intention of those who gave this power, to say that, in using it, the constitution should not be looked into? That a case arising under the constitution should be decided without examining the instrument under which it arises? This is too extravagant to be maintained."

"Why does a judge swear to discharge his duties agreeably to the constitution of the United States, if that constitution forms no rule for his government? if it is closed upon him, and cannot be inspected by him?

Assistant Attorney General (In my case) Jeffrey Darsie makes the argument that Secretary of State James Condos has no power or duty to vet a candidate.

Oh really? The states are responsible for the primaries, general election and events leading up to the Electoral College vote.
US Constitution Article II Section 1
"Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector."

Manner of voting
§ 8. The electors shall vote for President and Vice President, respectively, in the manner directed by the Constitution. All state election officials swear an oath to uphold or defend the US Constitution.

Article VI of the US Constitution.
“The Senators and Representatives before mentioned, and the Members of the several State Legislators, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution;”