There are Two Nationalities for the Nation of the United States

In the nation of the United States, before the adoption of the Fourteenth Amendment to the Constitution of the United States, one was considered a citizen of a State as well as a citizen of the United States. **[Footnote 1], [Footnote 2]** As such, one owed allegiance to both the individual State government as well as to the United States government:

". . . Every citizen of a State owes a double allegiance; he enjoys the protection and participates in the government of both the State and the United States." Houston v. Moore: 18 U.S. (5 Wheat.) 1, at 33; concurring opinion of Justice Johnson (1820).

http://books.google.com/books?id=1FUGAAAAYAAJ&pg=PA33#v=onepage&q=&f=false

Before the Fourteenth Amendment, a citizen of the United States was the same as a citizen of the several States united **[Footnote 3]**. Therefore, a citizen of a State, before the Fourteenth Amendment, was also a citizen of the several States united **[Footnote 6]**.

However, the Fourteenth Amendment changed that. In the *Slaughterhouse Cases*, the Supreme Court split the two equivalent terms. Thereafter, there was a citizen of the United States and a citizen of the several States (united):

"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.

We think this distinction and its explicit recognition in this Amendment of great weight in this argument, because the next paragraph of this same section (first section, second clause), which is the one mainly relied on by the plaintiffs in error, speaks only of ***privileges and immunities of citizens of the United States, and does not speak of those (privileges and immunities) of citizens of the several states***. *The argument, however, in favor of the plaintiffs, rests wholly on the assumption that the citizenship is the same and the privileges and immunities guaranteed by the clause are the same*." Slaughterhouse Cases: 83 U.S. 36, 74 (1873).

http://books.google.com/books?id=DkgFAAAAYAAJ&pg=PA74#v=onepage&q&f=false

Since the Fourteenth Amendment and the *Slaughterhouse Cases*, there is a citizen of the United States, who is not a citizen of the several States (united) and a citizen of the several States (united) who is not a citizen of the United States. **[Footnote 7]**

A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, since the adoption of the Fourteenth Amendment, is a citizen of the several States; that is, a citizen of the several States (united). As such, a citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, owes allegiance to the several States united; that is, to the United States, as expressed in plural form. **[Footnote 8]**

Therefore, a citizen of a State who is a citizen of the several States (united), under Article IV, Section 2, Clause 1 of the Constitution, is a nationality of the nation of the United States. **[Footnote 9]**

Thus, there are two nationalities for the nation of the United States; a citizen of the United States, under Section 1 of the Fourteenth Amendment, and a citizen of the several States (united), under Article IV, Section 2, Clause 1 of the Constitution.

Footnotes:

1. A naturalized citizen of the United States was also considered a citizen of the United States, under international law. And still is since the adoption of the Fourteenth Amendment.

2. A citizen of a State was recognized as a citizen of the United States, under international law. A citizen of the United States did not exist under the Constitution, but rather was a nationality recognized under international law for one who was a citizen of a State:

"The intercourse of this country with foreign nations and its policy in regard to them, are placed by the Constitution of the United States in the hands of the government, and its decisions upon these subjects are obligatory upon every citizen of the Union. He is bound to be at war with the nation against which the war-making power has declared war, and equally bound to commit no act of hostility against a nation with which the government is in amity and friendship. This principle is universally acknowledged by the laws of nations. It lies at the

foundation of all government, as there could be no social order or peaceful relations between the citizens of different countries without it. It is, however, more emphatically true in relation to citizens of the United States. For as the sovereignty resides in the people, every citizen is a portion of it, and is himself personally bound by the laws which the representatives of the sovereignty may pass, or the treaties into which they may enter, within the scope of their delegated authority. And when that authority has plighted its faith to another nation that there shall be peace and friendship between the citizens of the two countries, every citizen of the United States is equally and personally pledged. The compact is made by the department of the government upon which he himself has agreed to confer the power. It is his own personal compact as a portion of the sovereignty in whose behalf it is made. And he can do no act, nor enter into any agreement to promote or encourage revolt or hostilities against the territories of a country with which our government is pledged by treaty to be at peace, without a breach of his duty as a citizen and the breach of the faith pledged to the foreign nation." Kennett v. Chambers: 55 U.S. (Howard 14) 38, 49 thru 50 (1852).

http://books.google.com/books?id=LgAGAAAAYAAJ&pg=PA49#v=onepage&q&f=false

3. "The act of Congress referred to in the first section of the *act of 11th April, 1799* is repealed and supplied by an act passed *14th April, 1802*, which is incorporated in this note for the purpose of connecting the whole law on the subject.

'An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject.

Be in enacted, &c. That any alien being a free white person, may be admitted to become ***a citizen of the United States, or any of THEM*** **[See Footnote 4]** on the following conditions, and not otherwise:

First, That he shall have declared, on oath or affirmation, before the Supreme, Superior, District or Circuit Court of some one of the states or of the territorial districts of the United States, or a Circuit or District Court of the United States, three years at least before his admission, that it was, bona fide, his intention to become a citizen of the United States, and to renounce for ever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whereof such alien may, at the time, be a citizen or subject.

Secondly, That he shall, at the time of his application to be admitted, declare on oath or affirmation, before some one of the courts aforesaid, that he will support the constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or

sovereignty whatever, and particularly, by name, the prince, potentate, state, or sovereignty whereof he was before a citizen or subject, which proceedings shall be recorded by the clerk of the court.' " Laws of the Commonwealth of Pennsylvania, From the Fourteenth Day of October, One Thousand Seven Hundred. Republished, Under the Authority of the Legislature with Notes and References, Volume 4, (1810); Philadelphia: John Bioren, page 364.

http://books.google.com/books?id=HO1BAAAAYAAJ&pg=PA364#v=onepage&q=&f=false

4. Before the Fourteenth Amendment, the term "the United States," referred to the several States united:

"At the time of the formation of the constitution, the States were members of the confederacy united under the style of 'the United States of America,' and upon the express condition that 'each State retains its sovereignty, freedom, and independence.' And the consideration that, under the confederation, 'We, the people of the United States of America,' indubitably signified the people of the several States of the Union, as free, independent and sovereign States, coupled with the fact that the constitution was a continuation of the same Union ("a more perfect Union"), and a mere revision or remodeling of the confederation, is absolutely conclusive that, ***by the term, 'the United States' is meant the several States united*** as independent and sovereign communities; and by the words, 'We, the people of the United States,' is meant the people of the several States as distinct and sovereign communities, and not the people of the whole United States collectively as a nation." Stunt v. Steamboat Ohio: 4 Am. Law. Reg. 49, at 95 (1855), Dis. Ct., Hamilton County, Ohio; and (same wording) Piqua Bank v. Knoup, Treasurer: 6 Ohio 261, at 303 thru 304 (1856). **[See Footnote 5]**

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http://books.google.com/books?id=UfADAAAAYAAJ&pg=PA303#v=onepage&q&f=false

5. "The people of the United States constitute one nation, under one government, and this government, within the scope of the powers with which it is invested, is supreme. On the other hand, the people of each State compose a State, having its own government, and endowed with all the functions essential to separate and independent existence. The States disunited might continue to exist. ***Without the States in union there could be no such political body as the United States***." Lane County v. the State of Oregon: 74 U.S. (Wall. 7) 71, at 76 (1868).

http://books.google.com/books?id=MfY7AAAAIAAJ&pg=PA76#v=onepage&q&f=false

6. " . . . For all national purposes embraced by the federal constitution, the states and the citizens thereof are one, united under the same sovereign authority, and governed by the same laws. In all other respects, the states are necessarily foreign to, and independent of each other." Buckner v. Finley: 27 U.S. (Peters 2) 586, at 590 (1829).

http://books.google.com/books?id=lm8DAAAAQAAJ&pg=PA590#v=onepage&q&f=false

" . . . [T]he States of this Union, although united as one nation for certain specified purposes, are yet, so far as concerns their internal government, separate sovereignties, independent of each other." Commonwealth of Kentucky v. Dennision: 65 U.S. (Howard 24) 66, at 100 (1860).

http://books.google.com/books?id=FpkGAAAAYAAJ&pg=PA100#v=onepage&q&f=false

7. "In the *Slaughter House Cases*, 16 Wall. 36, 76, in defining the ***privileges and immunities of citizens of the several States***, this is quoted from the opinion of Mr. Justice Washington in *Corfield v. Coryell*, 4 Wash. Cir. Ct. 371, 380." Hodges v. United States: 203 U.S. 1, at 15 (1906).

http://books.google.com/books?id=HuEGAAAAYAAJ&pg=PA15#v=onepage&q=&f=false

"In speaking of the meaning of the phrase '***privileges and immunities of citizens of the several States***,' under section second, article fourth, of the Constitution, it was said by the present Chief Justice, in *Cole v. Cunningham*, 133 U.S. 107, that the intention was 'to confer on the ***citizens of the several States a general citizenship***, and to communicate all the privileges and immunities which the citizens of the same State would be entitled to under the like circumstances, and this includes the right to institute actions.' " Maxwell v. Dow: 176 U.S. 581, at 592 (1900).

http://books.google.com/books?id=8toGAAAAYAAJ&pg=PA592#v=onepage&q&f=false

"The objection that the acts abridge the ***privileges and immunities of citizens of the United States***, within the meaning of the [Fourteenth] amendment, is not pressed, and plainly is untenable. As has been pointed out repeatedly, the privileges and immunities referred to in the amendment are only such as owe their existence to the federal government, its national character, its Constitution, or its laws. *Maxwell v. Bugbee,* 250 U.S. 525, 537-538, and cases cited." Owney v. Morgan: 256 U.S. 94, at 112-113 (1921).

http://books.google.com/books?id=1v0xAAAAIAAJ&pg=PA112#v=onepage&q&f=false

Also:

"Williams was arrested upon a warrant charging him with 'the offense of acting as emigrant agent without a license.' He made application to the judge of the superior court of the Ocmulgee circuit for a writ of habeas corpus, alleging that the warrant under which he was arrested charged him with a violation of that provision of the general tax act of 1898 which imposed 'upon each emigrant agent, or employer or employe of such agents, doing business in this state, the sum of five hundred dollars for each county in which such business is conducted.' Acts 1898, p. 24. He further alleged that the law which he was charged with having violated was in conflict with certain provisions of the constitutions of the United States and of the state of Georgia, enumerating in the application the various clauses of which the act was alleged to be violative . . . .

Is the law (the general tax act of 1898) a regulation or restriction of intercourse among the citizens of this state and those of other states? Under this branch of commerce the states are prohibited from passing any law which either restricts the free passage of the ***citizens of the United States*** through the several states, or which undertakes to regulate or restrict free communication between the ***citizens of the several states***. A tax on the right of a citizen to leave the state, or on the right of a citizen of another state to come into the state, is a regulation of interstate commerce, and void. *Crandall v. Nevada*, 6 Wall. 35, 18 L.Ed. 744; *Henderson v. Mayor*, etc., 92 U.S. 259, 23 L.Ed. 543; *People v. Compagnie Generale Transatlantique*, 107 U.S. 59, 2 Sup. Ct. 87, 27 L.Ed. 383; *Passenger Cases*, 7 How. 282, 12 L.Ed. 702. Nor can a state pass a law which attempts to regulate or restrict communication between the ***citizens of different states***. *Telegraph Co. v. Pendleton*, 122 U.S. 347, 7 Sup. Ct. 1126, 30 L.Ed. 1187; *Pensacola Tel. Co. v. W. U. Tel. Co.*, 96 U.S. 1, 24 L.Ed. 708. But the law under consideration in the present case neither regulates nor restricts the right of citizens of this state to leave its territory at will, nor to hold free communication with the citizens of other states." Williams v. Fears: 35 S.E. 699, at 699, 701 (1900).

http://books.google.com/books?id=DhwLAAAAYAAJ&pg=PA701#v=onepage&q&f=false

And:

"1. Right of transit through the State guaranteed to citizens by constitution.—Under constitutional provisions, both State and Federal, every ***citizen of the United States and of the several States of the Union*** has, as an attribute of personal liberty, the right of free egress from, and transit through the State, unless restrained by due course of law; and this right is subject only to such legislative regulations as may be imposed by the exercise of the police power of the State, or as may remotely affect it in the legitimate exercise of the power of State taxation." *Syllabus*, Joseph v. Randolph: 45 Ala. 2d. 253, at 253 (1882).

"The question presented for decision is a constitutional one, involving the validity of an act of the General Assembly of this State . . . .

It is insisted, among other things, that the plain intent and natural effect of this statute is to tax, by indirection, the constitutional right of the citizen to have free egress, at all seasonable times, by emigration from the State. If this view be correct, it is clear that the validity of the act can not be sustained.

There can be no denial of the general proposition that every ***citizen of the United States, and every citizen of each State of the Union***, as an attribute of personal liberty, has the right, ordinarily, of free transit from, or through the territory of any State. This freedom of egress or ingress is guaranteed to all by the clearest implications of the Federal, as well as of the State constitution. It has been said that even in England, whence our system of jurisprudence was derived, the right to personal liberty did not depend on any express statute, but 'it was the birthright of every freeman.' – Cooley's Const. Lim. 342. This right was said by Sir William Blackstone to consist in 'the power of locomotion, of changing situation, or of moving one's person to whatsoever place one's inclination may direct, without imprisonment or restraint, unless by due process of law.' – 1 Bl. Com. 134. For its summary vindication when illegally molested, the writ of habeas corpus had its origin, and was established with magna charta. – Hurd on Habeas Corpus. 143.

This liberty of inter-state transit, thus based on the assertion of personal liberty, is referable to many clauses of the Federal constitution. In *Ward v. Maryland*, 12 Wall. 418, 430 [20 L. Ed. 449], it was classed by Mr. Justice Clifford as ***one of 'the privileges and immunities of the citizens of the several States,' guaranteed to the citizens of each State by Art. IV., Sec. 2 of the constitution of the United States***. In the *Passenger Cases*, 7 How. (U. S.) 283 [12 L. Ed. 702], it was recognized by a majority of the Supreme Court of the United States as a right protected by the commercial clause of the Federal constitution from hostile State legislation, and its existence was admitted by all, and denied by none. Mr. Justice Wayne said that no State had the right 'to tax a foreigner or person for coming into one of the United States.' 'That,' he continued, 'would be a tax or revenue act, in the nature of a regulation of commerce acting upon navigation,' and as such he thought it violative of the Federal constitution. – *Passenger Cases*, 7 How. (U. S.) 420 [12 L. Ed. 702]. In *Crandall v. State of Nevada*, 6 Wall. 35 [18 L. Ed. 744, 745], the entire court concurred in the view, that a capitation tax of one dollar, imposed by the legislature of Nevada upon every person leaving the State, as a passenger by railroad, stage-coach or other mode of conveyance, was unconstitutional and void. The reason was, that it infringed the ***unquestionable right of every citizen (of the United States***) to have free ingress and egress, to and from and through the States and Territories composing a common general government—a right fully recognized by all the judges as having an undoubted existence, although they differed as to the particular

ground upon which it could be rested.—Rorer on Inter-State Law, 315.

The right of every citizen, or person to enjoy free egress from, or transit through the State, is, in our opinion, an undoubted constitutional right." *Opinion*, Joseph v. Randolph: 45 Ala. 2d. 253, at 253, 255 thru 256 (1882).

http://books.google.com/books?id=egsOAQAAMAAJ&pg=PA253#v=onepage&q&f=false

8. This can be seen in my work, "Blunders of the Supreme Court of the United States: Part 8," where I show that Section 1 of the Criminal Code, applies to a citizen of a State who is a citizen of the several States (united), under Article IV, Section 2, Clause 1 of the Constitution of the United States of America. The section reads:

"Whoever, owing allegiance to the United States, levies war against **them** or adheres to **their** enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason."

This section applies to a citizen of a State who is a citizen of the several States (united), since the term, the United States, is expressed in a plural sense. This can be seen when compared to the term, the United States, when used in a singular sense:

Section 1, Clause 1 of the Fourteenth Amendment provides:

"All persons born or naturalized in **the United States**, and subject to **THE** jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

Section 1 of the Thirteenth Amendment reads:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within **the United States**, or any place subject to **THEIR** jurisdiction."

http://www.archives.gov/exhibits/charters/constitution_amendments_11-27.html

Note that Section 1, Clause 1 of the Fourteenth Amendment does not state:

"All persons born or naturalized in **the United States**, and subject to **THEIR** jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

9. From the "United States Naval Institute Proceedings", Volume 45, No. 7, July 1919, at page 1790 thru 1791 there is the following:

http://books.google.com/books?id=kEELP3wiHvAC&pg=PA1790#v=onepage&q&f=false

"Merchant Marine . . .

The ***nationality*** of those shipped as officers (excluding masters) and men (counting repeated shipments) before United States Shipping Commissioners, as returned to the Bureau of Navigation, Department of Commerce, was as follows for 1914 and 1919:

Nationality	1914	1919
Others	11,442	38,811

Those classed as "others" are mainly from the countries of South America, ***citizens of the several states*** which have been created by the war, and Swiss shipping as stewards.—*U.S. Bulletin, 9/8*."

This report of the **Nationality of Crews** can be seen for the years 1907 through 1922, inclusive, at these links:

http://books.google.com/books?id=8y0pAAAAYAAJ&pg=PA38#v=onepage&q&f=false

http://books.google.com/books?id=oC4pAAAAYAAJ&pg=PA14#v=onepage&q&f=false

(on page 15)

As can be seen "Others" appears in all of them under Nationality.