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TITLE XXV.

CITIZENSHIP.

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Sec.
 1998. Avoiding the draft.
 1999. Right of expatriation declared.
 2000. Protection to naturalized citizens in foreign states.
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Who are citizens. SEC. 1992. All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are declared to be citizens of the United States.

9 April, 1866, c. 31, s. 1, v. 14, p. 27.

Planters' Bank v. St. John, 1 Woods, 585; *McKay v. Campbell*, 2 Saw., 118.

Citizenship of children of citizens born abroad. SEC. 1993. All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States.

14 April, 1802, c. 28, s. 4, v. 2, p. 155.
 10 Feb., 1855, c. 71, s. 1, v. 10, p. 604.

Citizenship of married women. SEC. 1994. Any woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized, shall be deemed a citizen.

10 Feb., 1855, c. 71, s. 2, v. 10, p. 604.—*Kelly v. Owen*, 7 Wall., 496.

Of persons born in Oregon. SEC. 1995. All persons born in the district of country formerly known as the Territory of Oregon, and subject to the jurisdiction of the United States on the 18th May, 1872, are citizens in the same manner as if born elsewhere in the United States.

18 May, 1872, c. 172, s. 3, v. 17, p. 134.

Rights as citizens forfeited for desertion, &c. SEC. 1996. All persons who deserted the military or naval service of the United States and did not return thereto or report themselves to a provost-marshal within sixty days after the issuance of the proclamation by the President, dated the 11th day of March, 1865, are deemed to have voluntarily relinquished and forfeited their rights of citizenship, as well as their right to become citizens; and such deserters shall be forever incapable of holding any office of trust or profit under the United States, or of exercising any rights of citizens thereof.

3 Mar., 1865, c. 79, s. 21, v. 13, p. 490.

Certain soldiers and sailors not to incur the forfeitures of the last section. SEC. 1997. No soldier or sailor, however, who faithfully served according to his enlistment until the 19th day of April, 1865, and who, without proper authority or leave first obtained, quit his command or refused to serve after that date, shall be held to be a deserter from the Army or Navy; but this section shall be construed solely as a removal of any disability such soldier or sailor may have incurred, under the preceding section, by the loss of citizenship and of the right to hold office, in consequence of his desertion.

19 July, 1867, c. 28, v. 15, p. 14.

Avoiding the draft. SEC. 1998. Every person who hereafter deserts the military or naval service of the United States, or who, being duly enrolled, departs the jurisdiction of the district in which he is enrolled, or goes beyond the limits of the United States, with intent to avoid any draft into the military or naval service, lawfully ordered, shall be liable to all the penalties and forfeitures of section nineteen hundred and ninety-six.

3 Mar., 1865, c. 79, s. 21, v. 13, p. 490.

Right of expatriation declared. SEC. 1999. 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

27 July, 1868, c. 249, s. 1, v. 15, p. 223.

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.

SEC. 2000. All naturalized citizens of the United States, while in foreign countries, are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens.

SEC. 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

Protection to naturalized citizens in foreign states.

27 July, 1868, c. 249, s. 2, v. 15, p. 224.

Release of citizens imprisoned by foreign governments to be demanded.

27 July, 1868, c. 249, s. 3, v. 15, p. 224.