# The "Missing" 13th Amendment, an odd Constitution story 

by pinche tejano
Tue Jul 10, 2007 at 01:35:20 PM PDT
So this is either one of the worst things ever to happen to the Constitution, or one of the most elaborate web hoaxes ever. This all started in seeing what Gonzo was lying about today. One of my favorite political sites, Wonkette, said this:

April 24, 2005 Gonzales is sent an FBI report of an IOB violation involving an intelligence investigation in which agents accidentally violated the 2nd, 4th, 10th, 13th, and 17th amendments to the U.S. Constitution.

Considering there is always a nugget of truth in their snark, when I saw the 13th amendment, my heart sank. My first though was the Northern Mariana Islands, you remember right, like 114 scandals ago? Fearing the worse*, like the USA supporting slavery at the justification of the Attorney General, I stumbled onto something even crazier.

Did you know the 13th Amendment supplanted an original 13th Amendment already on the books? I am being completely serious for once, follow me below the fold:
pinche tejano's diary :: ::

Let me start at the beginning, the American Revolution has just concluded and England has realized that they cannot squash the young republic with military might. So they went to the usual bag of tricks for politicians, honors and privilege. Though titles of nobility were prohibited by both Article VI of the Articles of Confederation (1777) and in Article I, Sect. 9 of the Constitution of the United States (1778), the Founding Fathers saw a considerable loophole. A loophole that today has given us Sir Rudy Giuliani, Sir Colin Powell and Sir Ronald Reagan.

It also had a secondary purpose, which would have an astounding today:

In the winter of 1983, archival research expert David Dodge, and former Baltimore police investigator Tom Dunn, were searching for evidence of government corruption in public records stored in the Belfast Library on the coast of Maine. By chance, they discovered the library's oldest authentic copy of the Constitution of the United States (printed in 1825). Both men were stunned to see this document included a 13th Amendment that no longer appears on current copies of the Constitution. Moreover, after studying the Amendment's language and historical context, they realized the principle intent of this "missing" 13th Amendment was to prohibit lawyers from serving in government.

So began a seven-year, nationwide search for the truth surrounding the most bizarre Constitutional puzzle in American history -- the unlawful removal of a ratified Amendment from the Constitution of the United States. Since 1983, Dodge and Dunn have uncovered additional copies of the Constitution with the "missing" 13th Amendment printed in at least eighteen separate publications by ten different states and territories over four decades from 1822 to 1860.

In June of this year, Dodge uncovered the evidence that this missing 13th Amendment had indeed been lawfully ratified by the state of Virginia and was therefore an authentic Amendment to the American Constitution. If the evidence is correct and no logical errors have been made, a 13th Amendment restricting lawyers from serving in government was ratified in 1819 and removed from our Constitution during the tumult of the Civil War.

Since the Amendment was never lawfully repealed, it is still the Law today. The implications are enormous.

## So what is in this mystery 13th Amendment:

"If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

For those who want hard evidence, I offer up the Constitution of the United States of America, printed in 1825 in Portland, Maine:

## THE

## CONTSHFHWHEN

## STATE OF MAINE,

AND THAT OF THE

UNITED STATES.

## 45

of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.
3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States.

## ARTICEE XIII.

If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under thent, or either of them.

## DECTAARATHON OF TNDERMNDFITCEA.

In Congress, Joly 4, 1776.

## The Unanimous Declaration of the Thirteen United States of America.

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, a decent respect to the opinions of

If you want to verify this document, go here:
Maine State Archives
State Capitol - Station 84
Augusta, ME 04333-0084
(207)287-5295
jeffrey.brown@state.me.us
Now the reason lawyer would have been prohibited is because the International Bar Association was charted by the King of England and headquartered in London. So any American lawyer who uses the term Esquire would be in violation of the Constitution, Article 1, Sect. 9. But since there was no penalty for this, it was largely ignored. This would also be pretty defunct today, as most of our lawyers belong to the ABA, or American Bar Association, so only fools who belong to the IBA would fall under this domain. So basically, unless you accept a foreign title, say Knight, you will not be affected and forced to forfeit your citizenship.

But back to this lost Amendment, I bet you are asking, was it ever ratified? Well, here is what I found:
There were 17 states in 1810, so 13 needed to ratify it:
Maryland, Dec. 25, 1810
Kentucky, Jan. 31, 1811
Ohio, Jan. 31, 1811
Delaware, Feb. 2, 1811
Pennsylvania, Feb. 6, 1811
New Jersey, Feb. 13, 1811http://www.dailykos.com/story/2007/7/10/155241/107
Vermont, Oct. 24, 1811
Tennessee, Nov. 21, 1811
Georgia, Dec. 13, 1811
North Carolina, Dec. 23, 1811
Massachusetts, Feb. 27, 1812
New Hampshire, Dec. 10, 1812
This makes 12.
Then the War of 1812 broke out, and Washington burned to the ground, and all our documents with it. But we won, of course, and we finally got back on track and according to Congressional Records on December 31, 1817 the House of Representatives resolved that President Monroe find out about the status of the Amendment. In a letter dated February 6, 1818, President Monroe reported to the House that the Secretary of State Adams had written to the governors of Virginia, South Carolina and Connecticut to tell them that the proposed Amendment had been ratified by twelve States and rejected by two (New York and Rhode Island), and asked the governors to notify him of their legislature's position. (House Document No. 76).

On February 28, 1818, Secretary of State Adams reported the rejection of the Amendment by South

Carolina. [House Doc. No. 129]. So it all comes down to Virginia. There was no West Virginia at this point, keep that in mind.

On March 10, the Virginia legislature passed Act No. 280 (Virginia Archives of Richmond, "misc.' file, p. 299 for micro-film):
"Be it enacted by the General Assembly, that there shall be published an edition of the Laws of this Commonwealth in which shall be contained the following matters, that is to say: the Constitution of the United States and the amendments thereto..."

This act was the specific legislated instructions on what was, by law, to be included in the re-publication (a special edition) of the Virginia Civil Code. The Virginia Legislature had already agreed that all Acts were to go into effect on the same day -- the day that the Act to re-publish the Civil Code was enacted. Therefore, the 13th Amendment's official date of ratification would be the date of re-publication of the Virginia Civil Code: March 12, 1819.

That makes 13, and is officially in the Constitution.
So besides the Maine, and Virginia evidence, who else printed the now missing 13th Amendment?

## War Dept. Document from 1825 Reveals Critical Clue to Missing 13th Amendment

By The Idaho Observer ( I know, I know, quite a source PT!)
http:/ / www.proliberty.com/ ...

KANSAS CITY -- The Comfort Inn here was the third stop for Freedom Drive, 2002, and the place where Titles of Nobility Amendment (TONA) researcher Suzanne Nevling of San Francisco, California produced a copy of "Military Laws of the United States to which is prefixed the Constitution of the United States."

The book, published under authority of the War Department in 1825, proves that the original 13th Amendment that prohibits Americans from holding Titles of Nobility, was part of the Constitution until it was mysteriously replaced with a new 13th Amendment that banned slavery after the Civil War. "When we found this book last September we knew that we had found that the original 13th Amendment was part of the Constitution as of 1825," Nevling said.

Previous TONA research proves that on March 12, 1819, Virginia became the 13th and final state required for ratification of the original 13th Amendment when it published in the laws of Virginia Act No. 280 as passed by its legislature.

TONA research has shown that the state of Virginia forwarded copies of its revised code to the Department of State, the Congress, the Library of Congress and the President.

So, what about hardcopy? Ok.

Here is the Military Laws of the United States, 1825:

## MILITARY LAWS

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Compiled and Published under Authority of the War Departinent.

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tinet lists of all persons voted for as president, and of all persons poted for as viec-president, and of the number of votes for cach, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to thre president of the senate; the president of the senate sliall, in the presence of the senate and house of representalives, open all the certificates, and the votes shall then be counted: the person having the greatest number of votes for president, slall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not excceding three, on the list of thrse roted for as president, the house of representatives shall elouse immediately, by bullot, the president. But in choosing the president, the sotes shall be taken by states, the representation from each state having one rote; a quartum for this purpose shall consist of a member or mombers from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the louse of representatives shall mot choose a president whenever the right of choice shall derulve upon them, before the fourth day of March next fullowing, then the vice-president shall act as presideat, as in the case of the death or uther constitutional disability of the president.
2. The person having the greatest number of votes ais vice-president, shall be the vice-president, if such number be a majority of the whole number of electors appuinted; and if no persom have a majority, then from the two highest numbers on the list, the sentite shall choose the vice-nresident: a quorum for the purpose shall consist of two-thiris of the whole number of semators, and a majurity of the whole number shall be necessary to a choice.
5. But no person comstitutionally ineligible to tho office of president, shall be eligible to that of vice-prestident of the Enited States.

## ARTICLE XIII

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President, as in the case of the death or other constitutional disability of the President.
2. The person having the greatest number of votes for VicePresident, shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum or the purpose shall consist of two-thirds of the whole number f Senators, and a majority of the whole number shall be necessary to a choice.
3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United Stares.
Art. XIII.-If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall without the consent of Congress, accept or retain any present, pension, office, or eroolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

## REVISED STATUTES

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2. Congresa shall have power to enforce this article by appropriate legigiation.

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Daily Kos: State of the Nation


STATE OF KANSAS:





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the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death, or other constitutional disability, of the President.
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## AMENDMENTS.

king, prince, or foreign power, shall cease to be a citizen of States, and shall be incapable any office of trust or profit un either of them.

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The Whig Almanac-1845:


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In witacss whoreof, we have bereunto subscribed o our natmer.

GEORGE W ASIINGTON, Presidemt, and Dranity fron Virginia.

## MENDMENTS.

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There are many more.
Then something happened. Mainly, a Civil War.
After the Civil War, this Amendment was basically dropped down the memory hole, finding the 13th Amendment we know, and love, in its place. That was declared ratified on December 18, 1865, which would explain why Colorado and Kansas have our current day 13th Amendment as the 14th Amendment. Very, very odd.

So to find a counterpoint, I thought a lawyer site would be the best, and I find a good rebuttal:
http:/ / www.thirdamendment.com/ ...

Even if Virginia ratified the amendment at any time during the ratification process, the amendment did not become part of the Constitution, because the amendment was never just one state away from this threshold. If Virginia ratified in 1819, as extremists claim, the ratification came far too late to matter.

When the amendment was submitted to the states in 1810, 13 ratifications were required; Louisiana was admitted to the Union on April 30, 1812, raising the required number of ratifications to 14 . Prior to that date the amendment had received only 11 ratifications

New Hampshire ratified on December 9, 1812, raising the total number of ratifications to 12 out of the needed 14. But Indiana was admitted on December 11, 1816, raising the required number of ratifications to 15 . Mississippi's admission on December 10, 1817, did not change the threshold, but Illinois's admission on December 3, 1818 raised the threshold to 16 .

The extremist claim that these later states are not relevant, because an amendment only needs the support of three-fourths of the states in existence when it was submitted to the states. History reveals this claim to be specious - and this fact was known at the time the amendment was under consideration.

Whenever someone calls someone else an extremist, it's usually because they are right about something that someone fears coming to light. But anyway, he has a valid point about Indiana, Mississippi and Illinois. But that goes back to when Virginia actually ratified it, as opposed to telling everyone they had. Seems odd they would forget that they had updated the Law of the Land, but modes of communication were a lot slower back then.

But what seems even odder is all the publications that include this 13th Amendment, all the way up to 1868. To bad everyone involved has been dead and buried for over 150 years now, so we will never know the truth. But if it existed, as much evidence points that it did, then it is still part of the law of the land and valid today. Either way, makes for a hell of a story.

## But going back to why they include this, in basically that they felt Article 1, Section 9 might not

 be tough enough:No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince or foreign State.

And to that effect, I give you Knight of the British Empire Rudy Giuliani, obviously a rogue to the intent and language of the Constitution. I expect him to be deported in a fortnight as a rogue for the British Empire for subverting the law of the land in the name of a foreign power, you know, the one we fought our Revolution against.

J ust thought I'd share.

## Poll

The story of the "missing" 13th Amendment is:
© an interesting side note to American history.
O the bane of Constitutional Law grad students.
O best saved for your 1:45 a.m. call to Art Bell.
$\bigcirc$ proof that lawyers run this country.
Vote || 2968 votes | Results

Tags: 13th amendment, constitution, history (all tags)

Permalink | 90 comments
Comments: ○ Expand $\bigcirc$ Shrink $\bigcirc$ Hide $\lceil$ (Always) | © Indented $\bigcirc$ Flat $\nabla$ (Always)

So, I wonder what else is in our memory hole. (27+/0-)
Just a matter of time till the Internet tells us!
-4.63-5.28-Ghandi \& I's score!
by pinche tejano on Tue Jul 10, 2007 at 01:30:18 PM PDT

## Excellent, pinche tejano (3+/0-)

Thank you.
Wish we could make it stick.

See my art at Peace Angel and Al Gore'08
by Tigana on Tue Jull 10, 2007 at 02:27:14 PM PDT
[ Parent ]

## One of the best articles I've read (1+/0-)

in weeks. You got front-paged at digg.com (1200 diggs, 150 comments, and counting), so I must not be alone in that sentiment.

The Common Good, Equal Opportunity, The Right to Privacy, Accountable Government, Respect Abroad.
by flernk on Wed Jull 11, 2007 at 12:41:58 PM PDT
[ Parent]

## YEah, I just noticed that. ( 0 / 0)

It also just got pulled, so lost a bet.
I bet my friend drinks I could beat the mushroom.
Ah the sport of the young intelligentsia, Meta Racing, shouldnt even bet on your own horse.
-4.63-5.28-Ghandi \& I's score!
by pinche tejano on Wed Jull 11, 2007 at 02:12:43 PM PDT
[ Parent]
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