# Freedom Intelligence

Science Fiction or Real Life?




## What if Lawyers Were Forbidden from Holding Political Office? The REAL 13th Amendment Exposed

Posted on April 21, 2009 by Kellene| 15 Comments

Interesting question, eh? What IF lawyers were indeed forbidden from holding political office? What if there was a Constitutional law which prevented both Clinton and Obama from serving as U.S. President? Are you aware that there is such a national law present which forbids lawyers from serving in public office positions such as a Congressman, Senator, Secretary of State, or the U.S. President? Yes. It's in your U.S. Constitution. Now, before you feverishly go to view your present Constitution thinking that you could never have missed such an Amendment, let me save you the trouble by telling you that it's no longer there. The original Thirteenth Amendment which was fully ratified and published for over 20 years as such (thus lending even more credence to such ratification claim) no longer appears in your copy of the Constitution. Why? Well, the "why" this Amendment is glaringly missing from our present Constitution is only half of the story. Equally as important is why such a Constitutional Amendment was ever introduced and then fully ratified in the first place? Just what was so important that our government leaders saw fit to exclude this single occupation from

holding public office? And why is such an Amendment "missing" now? It all starts with some genuine intrigue and fraud. And I'm going to share with you the entire story here.

First of all, though—confession time. I did not write the main body of this post. I couldn't get permission to share the primary body of this article with you either as tracking down anyone to do so was literally impossible. I kept hitting dead ends, not because I couldn't get permission from someone, but because I could not get "Someone" (aka anyone) to confirm that they were the original compilers of the information. So I provide it to you here without such permission because it's far too important for our education and for us to decide, what, if any action we will take on this matter.

If you are a REAL American who values the U.S. Constitution, you should indeed be familiar on this topic.

Admittedly, this is not a typical short and sweet article. But if I didn't provide you with the entire contents, there would surely be a few who would discount what I shared simply because some of the back-up information was not posted as well. So, I'm feeding you the entire (albeit still abbreviated) feast on this issue.

The facts are that not only do we have at least 1 amendment as a part of our Constitution that was not properly ratified (16th), thus it is completely unfounded and with no legal efficacy, but our Constitution has been defiled by the elimination of the original 13th Amendment which was, indeed, legally ratified.

Educate yourself on this most interesting topic!

# The Missing 13th Amendment

## "TITLES OF NOBILITY" AND "HONOR"

Date 08/01/91
David Dodge, Researcher
Alfred Adask, Editor

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.

The story of this "missing" Amendment is complex and at times confusing because the political issues and vocabulary of the American Revolution were different from our own. However, there are essentially two issues: What does the Amendment mean? and, Was the Amendment ratified? Before we consider the issue of ratification, we should first understand the Amendment's meaning and consequent current relevance.

## MEANING of the 13th Amendment

The "missing" 13th Amendment to the Constitution of the United States reads as follows:

"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." [Emphasis added.}

At the first reading, the meaning of this 13th Amendment (also called the "title of nobility" Amendment) seems obscure, unimportant. The references to "nobility", "honour", "emperor", "king", and "prince" lead us to dismiss this amendment as a petty post-revolution act of spite

directed against the British monarchy. But in our modern world of Lady Di and Prince Charles, anti-royalist sentiments seem so archaic and quaint, that the Amendment can be ignored.
Not so.


Consider some evidence of its historical significance: First, "titles of nobility" were prohibited in both Article VI of the Articles of Confederation (1777) and in Article I, Sect. 9 of the Constitution of the United States (1778); Second, although already prohibited by the Constitution, an additional "title of nobility" amendment was proposed in 1789, again in 1810, and according to Dodge, finally ratified in 1819. Clearly, the founding fathers saw such a serious threat in "titles of nobility" and "honors" that anyone receiving them would forfeit their citizenship. Since the government prohibited "titles of nobility" several times over four decades, and went through the amending process (even though "titles of nobility" were already prohibited by the Constitution), it's obvious that the Amendment carried much more significance for our founding fathers than is readily apparent today.

**HISTORICAL CONTEXT**

To understand the meaning of this "missing" 13th Amendment, we must understand its historical context -- the era surrounding the American Revolution.

We tend to regard the notion of "Democracy" as benign, harmless, and politically unremarkable. But at the time of the American Revolution, King George III and the other monarchies of Europe saw Democracy as an unnatural, ungodly ideological threat, every bit as dangerously radical as Communism was once regarded by modern Western nations. Just as the 1917 Communist Revolution in Russia spawned other revolutions around the world, the American Revolution provided an example and incentive for people all over the world to overthrow their European monarchies.

Even though the Treaty of Paris ended the Revolutionary War in 1783, the simple fact of our existence threatened the monarchies. The United States stood as a heroic role model for other nations, that inspired them to also struggle against oppressive monarchies. The French Revolution (1789-1799) and the Polish national uprising (1794) were in part encouraged by the American Revolution. Though we stood like a beacon of hope for most of the world, the monarchies regarded the United States as a political typhoid Mary, the principle source of radical democracy that was destroying monarchies around the world. The monarchies must have realized that if the principle source of that infection could be destroyed, the rest of the world might avoid the contagion and the monarchies would be saved.

Their survival at stake, the monarchies south to destroy or subvert the American system of government. Knowing they couldn't destroy us militarily, they resorted to more covert methods of political subversion, employing spies and secret agents skilled in bribery and legal deception -- it was, perhaps, the first "cold war". Since governments run on money, politicians run for

money, and money is the usual enticement to commit treason, much of the monarchy's counter-revolutionary efforts emanated from English banks.

## DON'T BANK ON IT

(Modern Banking System)

The essence of banking was once explained by Sir Josiah Stamp, a former president of the Bank of England:

"The modern banking system manufactures money out of nothing. The process is perhaps the most astounding piece of sleight of hand that was ever invented. Banking was conceived in inequity and born in sin... Bankers own the earth. Take it away from them but leave them the power to create money, and, with a flick of a pen, they will create enough money to buy it back again... Take this great power away form them and all great fortunes like mine will disappear, for then this would be a better and happier world to live in... But, if you want to continue to be the slaves of bankers and pay the cost of your own slavery, then let bankers continue to create money and control credit." The last great abuse of our banking system caused the depression of the 1930's. Today's abuses may cause another. Current S&L and bank scandals illustrate the on-going relationships between banks, lawyers, politicians, and government agencies (look at the current BCCI bank scandal, involving lawyer Clark Clifford, politician Jimmy Carter, the Federal Reserve, the FDIC, and even the CIA). These scandals are the direct result of years of law-breaking by an alliance of bankers and lawyers using their influence and money to corrupt the political process and rob the public. (Think you're not being robbed? Guess who's going to pay the bill for the excesses of the S&L's, taxpayer? You are.)

The systematic robbery of productive individuals by parasitic bankers and lawyers is not a recent phenomenon. This abuse is a human tradition that predates the Bible and spread from Europe to America despite early colonial prohibitions.

When the first United States Bank was chartered by Congress in 1790, there were only three state banks in existence. At one time, banks were prohibited by law in most states because many of the early settlers were all too familiar with the practices of the European goldsmith banks. Goldsmith banks were safe-houses used to store client's gold. In exchange for the deposited gold, customers were issued notes (paper money) which were redeemable in gold. The goldsmith bankers quickly succumbed to the temptation to issue "extra" notes, (unbacked by gold). Why? Because the "extra" notes enriched the bankers by allowing them to buy property with notes for gold that they did not own, gold that did not even exist.

Colonists knew that bankers occasionally printed too much paper money, found themselves over-leveraged, and caused a "run on the bank". If the bankers lacked sufficient gold to meet the demand, the paper money became worthless and common citizens left holding the paper were ruined. Although over-leveraged bankers were sometime hung, the bankers continued printing extra money to increase their fortunes at the expense of the productive members of society. (The practice continues to this day, and offers "sweetheart" loans to bank insiders, and even provides the foundation for deficit spending and our federal government's unbridled growth.)

## PAPER MONEY

 If the colonists forgot the lessons of goldsmith bankers, the American Revolution refreshed their memories. To finance the war, Congress authorized the printing of continental bills of credit in an amount not to exceed $200,000,000. The States issued another $200,000,000 in paper notes. Ultimately, the value of the paper money fell so low that they were soon traded on speculation from 5000 to 1000 paper bills for one coin. It's often suggested that our Constitution's prohibition against a paper economy -- "No State shall... make any Thing but gold and silver Coin a tender in Payment of Debts" -- was a tool of the wealthy to be worked to the disadvantage of all others. But only in a "paper" economy can money reproduce itself and increase the claims of the wealthy at the expense of the productive. "Paper money," said Pelatiah Webster, "polluted the equity of our laws, turned them into engines of oppression, corrupted the justice of our public administration, destroyed the fortunes of thousands who had confidence in it, enervated the trade, husbandry, and manufactures of our country, and went far to destroy the morality of our people."

**CONSPIRACIES**

A few examples of the attempts by the monarchies and banks that almost succeeded in destroying the United States:

According to the Tennessee Laws (1715-1320, vol. II, p. 774), in the 1794 Jay Treaty, the United States agreed to pay 600,000 pounds sterling to King George III, as reparations for the American revolution. The Senate ratified the treaty in secret session and ordered that it not be published. When Benjamin Franklin's grandson published it anyway, the exposure and resulting public up-roar so angered the Congress that it passed the Alien and Sedition Acts (1798) so federal judges could prosecute editors and publishers for reporting the truth about the government.

Since we had won the Revolutionary War, why would our Senators agree to pay reparations to the loser? And why would they agree to pay 600,000 pounds sterling, eleven years after the war ended? It doesn't make sense, especially in light of Senate's secrecy and later fury over being exposed, unless we assume our Senators had been bribed to serve the British monarchy and betray the American people. That's subversion.

The United States Bank had been opposed by the Jeffersonians from the beginning, but the Federalists (the pro-monarchy party) wonout in its establishment. The initial capitalization was $10,000,000 -- 80% of which would be owned by foreign bankers. Since the bank was authorized to lend up to $20,000,000 (double its paid in capital), it was a profitable deal for both the government and the bankers since they could lend, and collect interest on, $10,000,000 that didn't exist.

However, the European bankers outfoxed the government and by 1796, the government owed the bank $6,200,000 and was forced to sell its shares. (By 1802, our government owned no stock in the United States Bank.)

The sheer power of the banks and their ability to influence representative government by economic manipulation and outright bribery was exposed in 1811, when the people discovered that european banking interests owned 80% of the bank. Congress therefore refused to renew the bank's charter. This led to the withdrawal of $7,000,000 in specie by european investors, which in turn, precipitated an economic recession, and the War of 1812.

That's destruction.

There are undoubtedly other examples of the monarchy's efforts to subvert or destroy the United States; some are common knowledge, others remain to be disclosed to the public. For example, David Dodge discovered a book called "2 VA LAW" in the Library of Congress Law Library. According to Dodge, "This is an un-catalogued book in the rare book section that reveals a plan to overthrow the constitutional government by secret agreements engineered by the lawyers. That is one of the reasons why this amendment was ratified by Virginia and the notification ~lost in the mail.' There is no public record that this book exists."

That may sound surprising, but according to The Gazette (5/10/91), "the Library of Congress has 349,402 un-catalogued rare books and 13.9 million un-catalogued rare manuscripts." There may be secrets buried in that mass of documents even more astonishing than a missing Constitutional Amendment.

**TITLES OF NOBILITY**

In seeking to rule the world and destroy the United States, bankers committed many crimes. Foremost among these crimes were fraud, conversion, and plain old theft. To escape prosecution for their crimes, the bankers did the same thing any career criminal does. They hired and formed alliances with the best lawyers and judges money could buy. These alliances, originally forged in Europe (particularly in Great Britain), spread to the colonies, and later into the newly formed United States of America.

Despite their criminal foundation, these alliances generated wealth, and ultimately, respectability. Like any modern member of organized crime, English bankers and lawyers wanted to be admired as "legitimate businessmen". As their criminal fortunes grew so did their usefulness, so the British monarchy legitimized these thieves by granting them "titles of nobility".

Historically, the British peerage system referred to knights as "Squires" and to those who bore the knight's shields as "Esquires". As lances, shields, and physical violence gave way to the more civilized means of theft, the pen grew mightier (and more profitable) than the sword, and the

clever wielders of those pens (bankers and lawyers) came to hold titles of nobility. The most common title was "Esquire" (used, even today, by some lawyers).

**INTERNATIONAL BAR ASSOCIATION**

In Colonial America, attorneys trained attorneys but most held no "title of nobility" or "honor". There was no requirement that one be a lawyer to hold the position of district attorney, attorney general, or judge; a citizen's "counsel of choice" was not restricted to a lawyer; there were no state or national bar associations. The only organization that certified lawyers was the International Bar Association (IBA), chartered by the King of England, headquartered in London, and closely associated with the international banking system. Lawyers admitted to the IBA received the rank "Esquire" -- a "title of nobility".

"Esquire" was the principle title of nobility which the 13th Amendment sought to prohibit from the United States. Why? Because the loyalty of "Esquire" lawyers was suspect. Bankers and lawyers with an "Esquire" behind their names were agents of the monarchy, members of an organization whose principle purposes were political, not economic, and regarded with the same wariness that some people today reserve for members of the KGB or the CIA.

Article 1, Sect. 9 of the Constitution sought to prohibit the International Bar Association (or any other agency that granted titles of nobility) from operating in America. But the Constitution neglected to specify a penalty, so the prohibition was ignored, and agents of the monarchy continued to infiltrate and influence the government (as in the Jay Treaty and the US Bank charter incidents). Therefore, a "title of nobility" amendment that specified a penalty (loss of citizenship) was proposed in 1789, and again in 1810. The meaning of the amendment is seen in its intent to prohibit persons having titles of nobility and loyalties foreign governments and bankers from voting, holding public office, or using their skills to subvert the government.

**HONOR**

The missing Amendment is referred to as the "title of nobility" Amendment, but the second prohibition against "honour" (honor), may be more significant.

According to David Dodge, Tom Dunn, and Webster's Dictionary, the archaic definition of "honor" (as used when the 13th Amendment was ratified) meant anyone "obtaining or having an advantage or privilege over another". A contemporary example of an "honor" granted to only a few Americans is the privilege of being a judge: Lawyers can be judges and exercise the attendant privileges and powers; non-lawyers cannot.

By prohibiting "honors", the missing Amendment prohibits any advantage or privilege that would grant some citizens an unequal opportunity to achieve or exercise political power. Therefore, the second meaning (intent) of the 13th Amendment was to ensure political equality among all American citizens, by prohibiting anyone, even government officials, from claiming or exercising a special privilege or power (an "honor") over other citizens.

If this interpretation is correct, "honor" would be the key concept in the 13th Amendment. Why? Because, while "titles of nobility" may no longer apply in today's political system, the concept of "honor" remains relevant.

For example, anyone who had a specific "immunity" from lawsuits which were not afforded to all citizens, would be enjoying a separate privilege, an "honor", and would therefore forfeit his right to vote or hold public office. Think of the "immunities" from lawsuits that our judges, lawyers, politicians, and bureaucrats currently enjoy.

As another example, think of all the "special interest" legislation our government passes: "special interests" are simply euphemisms for "special privileges" (honors).

**WHAT IF?**

(Implications if Restored)

If the missing 13th Amendment were restored, "special interests" and "immunities" might be rendered unconstitutional. The prohibition against "honors" (privileges) would compel the entire government to operate under the same laws as the citizens of this nation. Without their current personal immunities (honors), our judges and I.R.S. agents would be unable to abuse common citizens without fear of legal liability. If this 13th Amendment were restored, our entire government would have to conduct itself according to the same standards of decency, respect, law, and liability as the rest of the nation. If this Amendment and the term "honor" were applied today, our government's ability to systematically coerce and abuse the public would be all but eliminated.

Imagine.

Imagine!

A government without special privileges or immunities. How could we describe it? It would be ... almost like ... a government ... of the people ... by the people ... for the people!

Imagine: a government ... whose members were truly accountable to the public; a government that could not systematically exploit its own people!

It's unheard of ... it's never been done before. Not ever in the entire history of the world.

Bear in mind that Senator George Mitchell of Maine and the National Archives concede this 13th Amendment was proposed by Congress in 1810. However, they explain that there were seventeen states when Congress proposed the "title of nobility" Amendment; that ratification required the support of thirteen states, but since only twelve states supported the Amendment, it was not ratified. The Government Printing Office agrees; it currently prints copies of the Constitution of the United States which include the "title of nobility" Amendment as proposed, but un-ratified.

Even if this 13th Amendment were never ratified, even if Dodge and Dunn's research or reasoning is flawed or incomplete, it would still be an extraordinary story.

Can you imagine, can you understand how close we came to having a political paradise, right here on Earth? Do you realize what an extraordinary gift our forebears tried to bequeath us? And how close we came?

One vote. One state's vote.

The federal government concedes that twelve states voted to ratify this Amendment between 1810 and 1812. But they argue that ratification require thirteen states, so the Amendment lays stillborn in history, unratified for lack of a just one more state's support.

One vote.

David Dodge, however, says one more state did ratify, and he claims he has the evidence to prove it.

**PARADISE LOST**

In 1789, the House of Representatives compiled a list of possible Constitutional Amendments, some of which would ultimately become our Bill of Rights. The House proposed seventeen; the Senate reduced the list to twelve. During this process that Senator Tristrain Dalton (Mass.) proposed an Amendment seeking to prohibit and provide a penalty for any American accepting a "title of Nobility" (RG 46 Records of the U.S. Senate). Although it wasn't passed, this was the first time a "title of nobility" amendment was proposed.

Twenty years later, in January, 1810, Senator Reed proposed another "Title of Nobility" Amendment (History of Congress, Proceedings of the Senate, p. 529-530). On April 27, 1810, the Senate voted to pass this 13th Amendment by a vote of 26 to 1; the House resolved in the affirmative 87 to 3; and the following resolve was sent to the States for ratification:

*"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."*

The Constitution requires three-quarters of the states to ratify a proposed amendment before it may be added to the Constitution. When Congress proposed the "Title of Nobility" Amendment in 1810, there were seventeen states, thirteen of which would have to ratify for the Amendment to be adopted. According to the National Archives, the following is a list of the twelve states that ratified, and their dates of ratification:

| | |
|---|---|
| Maryland, | Dec. 25, 1810 |
| Kentucky, | Jan. 31, 1811 |
| Ohio, | Jan. 31, 1811 |
| Delaware, | Feb. 2, 1811 |
| Pennsylvania, | Feb. 6, 1811 |
| New Jersey, | Feb. 13, 1811 |
| 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 |

Before a thirteenth state could ratify, the War of 1812 broke out with England. By the time the war ended in 1814, the British had burned the Capitol, the Library of Congress, and most of the records of the first 38 years of government. Whether there was a connection between the

proposed "title of nobility" amendment and the War of 1812 is not known. However, the momentum to ratify the proposed Amendment was lost in the tumult of war.

Then, four years later, on December 31, 1817, the House of Representatives resolved that President Monroe inquire into the status of this 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)

(This, and other letters written by the President and the Secretary of State during the month of February, 1818, note only that the proposed Amendment had not yet been ratified. However, these letters would later become crucial because, in the absence of additional information they would be interpreted to mean the amendment was never ratified).

On February 28, 1818, Secretary of State Adams reported the rejection of the Amendment by South Carolina. [House Doc. No. 129]. There are no further entries regarding the ratification of the 13th Amendment in the Journals of Congress; whether Virginia ratified is neither confirmed nor denied. Likewise, a search through the executive papers of Governor Preston of Virginia does not reveal any correspondence from Secretary of State Adams. (However, there is a journal entry in the Virginia House that the Governor presented the House with an official letter and documents from Washington within a time frame that conceivably includes receipt of Adams' letter.) Again, no evidence of ratification; none of denial.

However, on March 10, 1819, 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.

**RATIFICATION FOUND**

The Delegates knew Virginia was the last of the 13 States that were necessary for the ratification of the 13th Amendment. They also knew there were powerful forces allied against this ratification so they took extraordinary measures to make sure that it was published in sufficient quantity (4,000 copies were ordered, almost triple their usual order), and instructed the printer to send a copy to President James Monroe as well as James Madison and Thomas Jefferson. (The printer, Thomas Ritchie, was bonded. He was required to be extremely accurate in his research and his printing, or he would forfeit his bond.)

In this fashion, Virginia announced the ratification: by publication and dissemination of the Thirteenth Amendment of the Constitution.

There is question as to whether Virginia ever formally notified the Secretary of State that they had ratified this 13th Amendment. Some have argued that because such notification was not received (or at least, not recorded), the Amendment was therefore not legally ratified. However, printing by a legislature is prima facie evidence of ratification.

Further, there is no Constitutional requirement that the Secretary of State, or anyone else, be officially notified to complete the ratification process. The Constitution only requires that threefourths of the states ratify for an Amendment to be added to the Constitution. If three-quarters of the states ratify, the Amendment is passed. Period. The Constitution is otherwise silent on what procedure should be used to announce, confirm, or communicate the ratification of amendments.

Knowing they were the last state necessary to ratify the Amendment, the Virginians had every right announce their own and the nation's ratification of the Amendment by publishing it on a special edition of the Constitution, and so they did.

Word of Virginia's 1819 ratification spread throughout the States and both Rhode Island and Kentucky published the new Amendment in 1822. Ohio first published in 1824. Main ordered 10,000 copies of the Constitution with the 13th Amendment to be printed for use in the schools in 1825, and again in 1831 for their Census Edition. Indiana Revised Laws of 1831 published the 13th Article on p. 20. Northwestern Territories published in 1833. Ohio published in 1831 and 1833. Then came the Wisconsin Territory in 1839; Iowa Territory in 1843; Ohio again, in 1848; Kansas Statutes in 1855; and Nebraska Territory six times in a row from 1855 to 1860.

So far, David Dodge has identified eleven different states or territories that printed the Amendment in twenty separate publications over forty-one years. And more editions including this 13th Amendment are sure to be discovered. Clearly, Dodge is onto something.

You might be able to convince some of the people, or maybe even all of them, for a little while, that this 13th Amendment was never ratified. Maybe you can show them that the ten legislatures which ordered it published eighteen times we've discovered (so far) consisted of ignorant politicians who don't know their amendments from their … ahh, articles. You might even be able to convince the public that our forefathers never meant to "outlaw" public servants who pushed people around, accepted bribes or special favors to "look the other way." Maybe. But before you do, there's an awful lot of evidence to be explained.

## THE AMENDMENT DISAPPEARS

---

In 1829, the following note appears on p. 23, Vol. 1 of the New York Revised Statutes:

"In the edition of the Laws of the U.S. before referred to, there is an amendment printed as article 13, prohibiting citizens from accepting titles of nobility or honor, or presents, offices, &c. from foreign nations. But, by a message of the president of the United States of the 4th of February, 1818, in answer to a resolution of the house of representatives, it appears that this amendment had been ratified only by 12 states, and therefore had not been adopted. See Vol. IV of the printed papers of the 1st session of the 15th congress, No. 76." In 1854, a similar note appeared in the Oregon Statutes. Both notes refer to the Laws of the United States, 1st vol. p. 73 (or 74).

It's not yet clear whether the 13th Amendment was published in Laws of the United States, 1st Vol., prematurely, by accident, in anticipation of Virginia's ratification, or as part of a plot to discredit the Amendment by making is appear that only twelve States had ratified. Whether the Laws of the United States Vol. 1 (carrying the 13th Amendment) was re-called or made-up is unknown. In fact, it's not even clear that the specified volume was actually printed — the Law Library of the Library of Congress has no record of its existence.

However, because the notes authors reported no further references to the 13th Amendment after the Presidential letter of February, 1818, they apparently assumed the ratification process had

ended in failure at that time. If so, they neglected to seek information on the Amendment after 1818, or at the state level, and therefore missed the evidence of Virginia's ratification. This opinion — assuming that the Presidential letter of February, 1818, was the last word on the Amendment — has persisted to this day.

In 1849, Virginia decided to revise the 1819 Civil Code of Virginia (which had contained the 13th Amendment for 30 years). It was at that time that one of the code's revisers (a lawyer named Patton) wrote to the Secretary of the Navy, William B. Preston, asking if this Amendment had been ratified or appeared by mistake. Preston wrote to J. M. Clayton, the Secretary of State, who replied that this Amendment was not ratified by a sufficient number of States. This conclusion was based upon the information that Secretary of State J.Q. Adams had provided the House of Representatives in 1818, before Virginia's ratification in 1819. (Even today, the Congressional Research Service tells anyone asking about this 13th Amendment this same story: that only twelve states, not the requisite thirteen, had ratified.) However, despite Clayton's opinion, the Amendment continued to be published in various states and territories for at least another eleven years (the last known publication was in the Nebraska territory in 1860).

Once again the 13th Amendment was caught in the riptides of American politics. South Carolina seceded from the Union in December of 1860, signalling the onset of the Civil War. In March, 1861, President Abraham Lincoln was inaugurated.

Later in 1861, another proposed amendment, also numbered thirteen, was signed by President Lincoln. This was the only proposed amendment that was ever signed by a president. That resolve to amend read: "ARTICLE THIRTEEN, No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State." (In other words, President Lincoln had signed a resolve that would have permitted slavery, and upheld states' rights.) Only one State, Illinois, ratified this proposed amendment before the Civil War broke out in 1861.

In the tumult of 1865, the original 13th Amendment was finally removed from our Constitution. On January 31, another 13th Amendment (which prohibited slavery in Sect. 1, and ended states' rights in Sect. 2) was proposed. On April 9, the Civil War ended with General Lee's surrender. On April 14, President Lincoln (who, in 1861, had signed the proposed Amendment that would have allowed slavery and states rights) was assassinated. On December 6, the "new" 13th Amendment loudly prohibiting slavery (and quietly surrendering states rights to the federal government) was ratified, replacing and effectively erasing the original 13th Amendment that had prohibited "titles of nobility" and "honors".

## SIGNIFICANCE OF REMOVAL

To create the present oligarchy (rule by lawyers) which we now endure, the lawyers first had to remove the 13th "titles of nobility" Amendment that might otherwise have kept them in check. In fact, it was not until after the Civil War and after the disappearance of this 13th Amendment, that American bar associations began to appear and exercise political power.

Since the unlawful deletion of the 13th Amendment, the newly developing bar associations began working diligently to create a system wherein lawyers took on a title of privilege and nobility as "Esquires" and received the "honor" of offices and positions (like district attorney or judge) that only lawyers may now hold. By virtue of these titles, honors, and special privileges, lawyers have assumed political and economic advantages over the majority of U.S. citizens. Through these privileges, they have nearly established a two-tiered citizenship in this nation where a majority may vote, but only a minority (lawyers) may run for political office. This

twotiered citizenship is clearly contrary to Americans' political interests, the nation's economic welfare, and the Constitution's egalitarian spirit.

The significance of this missing 13th Amendment and its deletion from the Constitution is this: Since the amendment was never lawfully nullified, it is still in full force and effect and is the Law of the land. If public support could be awakened, this missing Amendment might provide a legal basis to challenge many existing laws and court decisions previously made by lawyers who were unconstitutionally elected or appointed to their positions of power; it might even mean the removal of lawyers from our current government system.

**QUICK, MEN! TO THE ARCHIVES!**

Each of Sen. Mitchell's and Mr. Hartgrove's arguments against ratification have been overcome or badly weakened. Still, some of the evidence supporting ratification is inferential; some of the conclusions are only implied. But it's no wonder that there's such an austere sprinkling of hard evidence surrounding this 13th Amendment: According to The Gazette (5/10/91), the Library of Congress has 349,402 un-catalogued rare books and 13.9 million un-catalogued rare manuscripts. The evidence of ratification seems tantalizingly close but remains buried in those masses of un-catalogued documents, waiting to be found. It will take some luck and some volunteers to uncover the final proof.

We have an Amendment that looks like a duck, walks like a duck, and quacks like a duck. But because we have been unable to find the eggshell from which it hatched in 1819, Sen. Mitchell and Mr. Hartgrove insist we can't … quite … absolutely prove it's a duck, and therefore, the government is under no obligation to concede it's a duck.

Maybe so.

But if we can't prove it's a duck, they can't prove it's not. If the proof of ratification is not quite conclusive, the evidence against ratification is almost nonexistent, largely a function of the government's refusal to acknowledge the proof.

We are left in the peculiar position of boys facing bullies in the schoolyard. We show them proof that they should again include the "missing" 13th Amendment on the Constitution; they sneer and jeer and taunt us with cries of "make us".

Perhaps we shall.

The debate goes on. The mystery continues to unfold. The answer lies buried in the archives.


If you are close to a state archive or large library anywhere in the USA, please search for editions of the U.S. Constitution printed between 1819 and 1870. If you find more evidence of the "missing" 13th Amendment please contact David Dodge, POB 985, Taos, New Mexico, 87571.

1) It's worth noting that Rick Donaldson, another researcher, uncovered certified copies of the 1865 and 1867 editions of the Colorado Civil Codes which also contain the missing Amendment. Although these editions were stored in the Colorado state archive, their existence was previously un-catalogued and unknown to the Colorado archivists.

2) If there's insufficient evidence that Virginia did ratify in 1819 (there is no evidence that Virginia did not), this raises a fantastic possibility. Since there was no time limit specified when the Amendment was proposed, and since the government clearly believed only Virginia's vote remained to be counted in the ratification issue, the current state legislature of Virginia could theoretically vote to ratify the Amendment, send the necessary certificates to Washington, and thereby add the Amendment to the Constitution.

## Article XIII

A few months back there was quite a lot of traffic concerning the "lost" 13th amendment. It has recently been mentioned again, so this may be a good time to bring this up. I was able to contact the researchers, David Dodge, Tom Dunn and Brian March and get a copy of the latest report on this topic. Many of you are very familiar with this story, but there is relatively new information concerning the records that exist which substantiate the validity of the claim that the "Titles of Nobility" was actually ratified. It is necessary to go through the report carefully, but it seems certain from the documents that have been found at the National Archives and elsewhere that TON was legally ratified. For those who are new to this I will re-hash the old news and weave in the new as I go along.

In 1983, two independent researchers, David Dodge and Tom Dunn, while looking for evidence of political corruption in a library in Belfast Maine, stumbled across an 1825 copy of the Maine Civil Code. In this document, as I believe is customary, the Constitution of the U.S. was printed. They noticed that Article Thirteen of the amendments was not the same Article Thirteen which is now enumerated in the Constitution. This Article Thirteen, which is known as the "Titles of Nobility" amendment, (TON) reads as follows:

Article 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 them, or either of them.*

---

The post went on to say that the researchers had carried on a written communication with Sen. George Mitchell (D. Maine) and as I recall, someone named Hargrave from the National Archives in Washington DC. It appears that the original position of Mitchell and Hargrave was that this was simply a printing error and that it had been immediately corrected upon discovery. This does not appear to be the case. Dodge and Dunn went on to find, at last count, 24 different state legislatures which printed this amendment as Article Thirteen, in 77 separate editions of their respective Civil Codes. This occurred over a period from 1818 until 1876. It has also been found in school text books and other publications from that period. At first I was very skeptical, but now I have seen 2nd generation photo copies of all of these documents. Almost every document carries a stamp from the library where it was found. In some cases where the document was hand written I have only seen a typed version, but after speaking with the researchers at length, I am sure that these typed reproductions are faithful. In total, they present compelling evidence that the original Article Thirteen was wrongfully removed from the Constitution.


Gradually the position of Senator Mitchell and others at the National Archive changed. (Paraphrased from the letters between Dodge and Mitchell). One such position was that the article in question had been proposed in the 11th congress, 2nd session in 1810 and subsequently ratified by only 12 states before the close of 1812. As there were 17

states at the time that the Amendment was proposed it required that 13 states ratify, and this did not happen. Dodge and Dunn continued their research. They found a circular letter, dated 7, Jan. 1818, commissioned by the House of Representatives for President James Monroe and written by then Secretary of State, John Quincy Adams. It was sent to only 3 states, of the original 17, that had not yet responded, as to their disposition on the proposed Thirteenth Article. Virginia was one of those states. Dodge and Dunn now went to the Library of Congress and were allowed access to the rare book room. There they found an un-cataloged book entitled "The Revised Code of the Laws of Virginia", 1819. The amendment was there, listed as the Thirteenth Article of the U.S. Constitution. This, of course, indicated that a 13th state had indeed ratified the amendment, constituting a 3/4 majority of the states of the Union at the time the amendment was proposed… and now, the Senator's position changes once again. They responded to Dodge by saying that since there were 21 states by the time that Virginia ratified in 1818 or 1819, 13 was no longer enough to bring the amendment into law. They contended that It would have then required 16 votes to ratify, not 13.

This appears to be the current position of Senator Mitchell and the National Archives, although the Archives legal department has not yet formally responded to the question. The Constitution is **silent** on what is to be done concerning the addition of new states during the ratification process. Furthermore, the four new states (Louisiana, Indiana, Mississippi and Illinois) who, Senator Mitchell and the archivists, claim should have been considered in this process, all, **without exception**, carried the "Titles of Nobility" amendment on their U.S. Constitutions for at least several years after 1818 or 1819. It would appear that those state's own legislatures considered this to be the law of the land.

There are some documents which have been uncovered that are not included in the current edition of the report. Brian March did a thorough search of the archives in the four states that were added during the ratification process. No evidence was found to indicate that the Secretary of State polled them as too their response on the amendment. !!!THEY WERE NOT CONSIDERED!!! and as I said earlier, all four states have been shown to have published the TON amendment. The letters from those state archives are among the documents not included in the report. I have seen copies of all the documents. These guys have done some tremendous research and documented everything very well.

Another "report to the President" of Feb 3, 1818, a time when the four states had already been admitted, also lists specifically the states that were involved in the ratification and !!!AGAIN, THE NEW STATES ARE NOT CONSIDERED!!! Again, this report was not available when they went to press. If you ask Brian to include some of the new material I feel certain that he will.

**SUMMARY**

To summarize:

- The current position of those in the government is that there may have been a 13th state (Virginia) ratify the amendment. However, at the time that such ratification took place, new states had entered the union. The required 3/4 majority was not met as determined by the addition of the new states.
- Dodge, Dunn and March contend and provide documentation that supports the claim that at that time the new states were not considered in the process of ratification.
-
    - The circular letter of Jan. 7, 1818
    - The report to the president of feb. 3 1818

- Published civil codes of the four new states which clearly show that those states considered the amendment law even though they had not been asked to vote on it.

- Consider the fact that the Constitution is silent on the matter of new states entering the Union during the ratification process.
- Consider the fact that the Constitution is silent on the matter of time limits on the ratification process itself. Today, time limits on an amendments ratification must be stipulated at the time of the acceptance of the proposal. This was not done in the case of TON, so there was/is no time limit in effect.
- I know of no legal way for an amendment to be removed from the Constitution other than congressional repeal, which requires the passage of a contrary amendment. Does anyone know of another way with precedent?

**STATE PUBLICATIONS:**

The following states and/or territories have published the Titles of Nobility amendment in their official publications as a ratified amendment to the Constitution of the United States:

| State | Publications |
|---|---|
| Colorado | 1861, 1862, 1864, 1865, 1866, 1867, 1868 |
| Connecticut | 1821, 1824, 1835, 1839 |
| Dakota | 1862, 1863, 1867 |
| Florida | 1823, 1825, 1838 |
| Georgia | 1819, 1822, 1837, 1846 |
| Illinois | 1823, 1825, 1827, 1833, 1839, dis. 1845 |
| Indiana | 1824, 1831, 1838 |
| Iowa | 1839, 1842, 1843 |
| Kansas | 1855, 1861, 1862, 1868 |
| Kentucky | 1822 |
| Louisiana | 1825, 1838/1838 [two separate publications] |
| Maine | 1825, 1831 |
| Massachusetts | 1823 |
| Michigan | 1827, 1833 |
| Mississippi | 1823, 1824, 1839 |
| Missouri | 1825, 1835, 1840, 1841, 1845* |
| Nebraska | 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1873 |
| North Carolina | 1819, 1828 |
| Northwestern Territories | 1833 |
| Ohio | 1819, 1824, 1831, 1833, 1835, 1848 |

| | |
|---|---|
| Pennsylvania | 1818, 1824, 1831 |
| Rhode Island | 1822 |
| Virginia | 1819 |
| Wyoming | 1869, 1876 |

Totals: 24 States in 78 separate official government publications. “Pimsleur’s”, a checklist of legal publications, does not list many of the above volumes.
* This volume was published twice in 1845. The first published the “Titles of Nobility” amendment, the second was published right after Congress set the requirements for Missouri’s admission as a State. The “Titles of Nobility” amendment was replaced with a notation that this amendment was printed in error in 1835.

**PUBLICATIONS:**

“The History of the World”, Samuel Maunder, Harper, New York, 1850, vol. 2, p.462. Republished by Wm. Burtis, Baltimore, 1856, vol. 2, p.462.
“The Rights of an American Citizen”, Benj. Oliver, Counsellor at Law, Boston, 1832, p. 89.
“Laws of the United States of America”, Bioren and Duane, Philadelphia & Washington, 1815, vol. 1, p.74. [See: Note below]
“The American Politician”, M. Sears, Boston, 1842, p.27.
“Constitution of the United States”, C.A. Cummings, Lynn, Massachusetts, not dated, p.35.
“Political Text Book Containing the Declaration of Independence”, Edward Currier, Blake, Holliston, Mass. 1841, p.129.
“Brief Exposition of the Constitution of the United States for the use of Common Schools”, John S. Hart, A.M. (Principal of Philadelphia High School and Professor of Moral Mental and Political Science), Butler and Co., Philadelphia, 1850, p.100.
“Potter’s Justice”, H. Potter, U.S. District Court Judge, Raleigh, North Carolina, 1828, p.404, 2nd Edition [the 1st Ed., 1816, does not have "Titles of Nobility"].
Note: The “Laws of the United States” was published by John Duane. Without doubt, Duane was aware of Virginia’s plan to ratify this amendment which targeted, amongst other things, the emolument of banking and the agents of foreign banking interests, the attorneys. Currency manipulation led to the failure of numerous banks and in turn to many a personal bankruptcy, including that of Thomas Jefferson. The allegiance of attorneys** has always been with the money state, whether pharaoh, caesar, monarch or corporate monopoly. [** See: "Acts of Virginia", Feb. 20, 1812, p.143]
The Court, in “Horst v. Moses”, 48 Alabama 129, 142 (1872) gave the following description of a title of nobility:
To confer a title of nobility, is to nominate to an order of persons to whom privileges are granted at the expense of the rest of the people. It is not necessarily hereditary, and the objection to it rises more from the privileges supposed to be attached than to the otherwise empty title or order. These components are forbidden separately in the terms “privilege”, “honor”, and “emoluments”, as they are collectively in the term “title of

nobility". The prohibition is not affected by any consideration paid or rendered for the grant.
"Bouvier's Law Dictionary", 15th Edition, vol. 1 (1885) lists the due process amendments as 5 and 15 [15 was re-numbered to 14] on p.571.
The prohibition of titles of nobility estops the claim of eminent domain through fictions of law. Eminent domain is the legal euphemism for expropriation, and unreasonable seizure given sanction by the targets of this amendment.

**REFERENCES**

Titles of Nobility – DEFINITIONS

From: Noah Webster 1828
Bouvier's Law Dictionary 1848
Black's Law Dictionary 1891
Note: Because they are so similar, the definitions have been consolidated.

- "Emolument": – A gain of profit or advantage.
- "Foreign Power": – "Power" – a sovereign state; a controlling group; possession or control; authority or influence, political or otherwise.
- "Honour": – One having dominion, advantage or privilege over another.
- "Nobility": – Exalted rank – high social position.
- "Title of Nobility": – An order of men, in several countries, to whom special privileges are granted,
- "privileges": – To grant some particular right or exemption.

From a court case, in Horst v. Moses, 48 Ala. 123, 142 (1872), which gave the following description of "Titles of Nobility":
"to confer a title of nobility, is to nominate to an order of persons to whom privileges are granted at the expense of the rest of the people. It is not necessarily hereditary, and the objection to it arises more from the privileges supposed to be attached, than to the otherwise empty title or order. These components are forbidden separately in the terms "privilege", "honor", and "emoluments", as they are collectively in the term "title of nobility". The prohibition is not affected by any consideration paid or rendered for the grant."

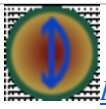
This entry was posted in Constitution and tagged 13th amendment, bank, clinton, Constitution, currency, founding fathers, freedom, hidden 13th amendment, honor, kellene bishop, law, lawyers, nobility, obama, us constitution. Bookmark the permalink.

← Tea Party USA—The Story is the Story

Baptist Pastor vs. Border Patrol →



**15 RESPONSES TO WHAT IF LAWYERS WERE FORBIDDEN FROM HOLDING POLITICAL OFFICE? THE REAL 13TH AMENDMENT EXPOSED**

1.  *David* | August 6, 2009 at 1:13 pm | Reply

How exactly does a lawyer hold a title of nobility?

If this reading were correct then not only could lawyers not hold office, they would not be citizens – talk about changing the face of the nation.

-  *Kellene* | August 6, 2009 at 1:18 pm | Reply

  I should have spelled that out in the article. Lawyers, aka Esquire. Esquire is a title of nobility. You will see it on a lot of law degrees even today.

-  *Darwin Stagner, II* | March 19, 2010 at 5:10 am | Reply

  David, I have silently read much of this you've echoed for years. I read those who hated your want of equality for all, and other opinions. I refuse to be silent on this or spoil your parade, but taking an opinion from Horst is not what you need, and saying lawyers should not become politicians will never hold water.

  Turn to what our Founders turned to: their founder of what is essentially American Jurisprudence 101: Sir William Blackstone's COMMENTARIES ON THE LAWS OF ENGLAND.

  ALL THE LAWYERS THAT HELPED DRAFTED THE CONSTITUTION ALL WERE GRADUATES OF BLACKSTONE'S.

  Then notice Federalist #39 about the titles of nobilities prohibition and our being a republic.

  Your complaint is Spaulding vs. Vilas 161 US 483 (1896), where our Court gave immunity which violated the dictates of Marbury vs. Madison 5 U.S. (1 Cranch) 137 (1803) ("No man is above the law." also, Id at 180: 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.

  If such be the real state of things, this is worse than solemn mockery. To prescribe, or to take this oath, becomes equally a crime.

  It is also not entirely unworthy of observation, that in declaring what shall be the supreme law of the land, the constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the constitution, have that rank.

  Thus, the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument.

  The rule must be discharged."

These two points are expounded in two different cases with almost same name captions but different views based on topics but see if this is your gist and line of reasoning outside the realm of your belief in a TONA Collusion.

check out these two Lee's:

Lee vs. U S 106 US 196, 205 (1882): "We have the authority of Chief Baron COMYN, 1 Dig. 132, 'Action, C 1,' and 6 Dig. 67, 'Prerogative;' and of the Mirror of Justices, c. 1, 3, and c. 5, 1, that such was the law; and of BRACTON and Lord HOLT, that the king never was suable of common right. It is certain, however, that after the establishment of the petition of right about that time, as the appropriate manner of seeking relief where the ascertainment of the parties' rights required a suit against the king, no attempt has been made to sue the king in any court except as allowed on such petition. It is believed that this petition of right, as it has been practiced and observed in the administration of justice in England, has been as efficient in securing the rights of suitors against the crown in all cases appropriate to judicial proceedings, as that which the law affords in legal controversies between the subjects of the king among themselves."

Id at 206: "As we have no person in this government who exercises supreme executive power or performs the public duties of a sovereign, it is difficult to see on what solid foundation of principle the exemption from liability to suit rests."

Note certain clues:

Id at 208: " In all cases where the title to property came into controversy between the crown and a subject, whether held in right of the person who was king or as representative of the nation, the petition of right presented a judicial remedy-a remedy which this court, on full examination in a case which required it, held to be practical and efficient. There has been, therefore, no necessity for suing the officers or servants of the king who held possession of such property, when the issue could be made with the king himself as defendant. "

"Under our system the people, who are there called subjects, are the sovereign. Their rights, whether collective or individual, are not bound to give way to a sentiment of loyalty to the person of the monarch. The citizen here knows no person, however near to those in power, or however powerful himself, to whom he need yield the rights which the law secures to him when it is well administered. When he, in one of the courts of competent jurisdiction, has established his right to property, [106 U.S. 196, 209] there is no reason why deference to any person, natural or artificial, not even the United States, should prevent him from using the means which the law gives him for the protection and enforcement of that right."

Id., at 220: "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives.
Courts of justice are established, not only to decide upon the controverted rights of the citizens as against each other, but also upon rights in controversy between them and the government, and the docket of this court is crowded with controversies of the latter class."

In the dissent: “The English remedies of petition of right, monstrans de droit, [106 U.S. 196, 239] and traverse of office, were never introduced into this country as a part of our common law; but in the American colonies and states claims upon the government were commonly made by petition to the legislature.”
And then: “But in such a suit Chief Justice MARSHALL said: ‘As the United States are not suable of common right, the party who institutes such suit must bring his case within the authority of some act of congress, or the court cannot exercise jurisdiction over it.’ U. S. v. Clarke, 8 Pet. 436, 444.”

Id., at 340: ‘These reflections admonish us to be cautious that we do not permit the decisions of this court to become authority for the righting, in the court of claims, of all wrongs done to individuals by the officers of the general government, though they may have been committed while serving that government, and in the belief that it was for its interest. In such cases, where it is proper for the nation to furnish a remedy, congress has wisely reserved the matter for its own determination.’

Don’t get lost here this is a 2nd Lee coming up…

Lee v.United States 343 U.S. 747 (1952) “The trend of the law in recent years has been to turn away from rigid rules of incompetence, in favor of admitting testimony and allowing the trier of fact to judge the weight to be given it. As this Court has pointed out: “Indeed, the theory of the common law was to admit to the witness stand only those presumably honest, appreciating the sanctity of an oath, unaffected as a party by the result, and free from any of the temptations of interest. The courts were afraid to trust the intelligence of jurors. But the last 50 years have wrought a great change in these respects, and today the tendency is to enlarge the domain of competency, and to submit to the jury for their consideration as to the credibility of the witness those matters which heretofore were ruled sufficient to justify his exclusion. This change has been wrought partially by legislation and partially by judicial construction.” [quoting:]Funk v. United States, 290 U.S. 371, ”

There is much exhaustion in study on your matter, and I have studied many thing myself and yet being a no-one myself, I cannot see reliability or evidences in hypothesis, and I have my choices in topics as do you, but to have a tea-party designed upon misinformation is not the ways to a means, by any standards.

Blackstone depict a title as empty, and only the king’s royal prerogative being extended over those subjects bringing money into those treasuries 24/7 could not be touched, more or less. I refuse to quote it. I want you to do some more home work.

Marbury v Madison is 85% Blackstone, but how would you know that since the citations are omitted, but, had you yourself read, you and everyone else would have known how the Chief Justice politely slapped his colleague , James Madison, the so-dubbed: “father of the constitution.”.
See: Wilkerson v Utah 99 US 130 (1878) for a history lesson. Watch the subject of the elliptical paragraph when opinion starts, that goes back to the “commentator” as the 3 absolute violators of the 8th amendment. See where the ACTUAL language of the 8th amendment was only found (Blackstone) that the court relied upon.

I have read many things written of David Dodge, and those written about David Dodge. To be fair to both view, both pro and con, for whomever claims which is what version of their own mindset and posture; agreeing to disagree and studying more on lines of sharing knowledge from each side, without resentments is what a real Congress of thought does.

I say this on a title of nobility, in from my learning: Anyone who can not be legally held accountable for wrongdoing in office or duty or function of government that impact and infringes upon the rights of others, or arrested for it, is a title of nobility, if they are impugned from law, 'written out' or 'above the law' say as are the guardian ad litem's in Florida's chapter 39, and the Department of Children work as the Gestapo to siphon off children, and harvest children from the poor to give to those artificial elite classes of citizens called 'foster parents' or 'adoptive parents'.

Here is a true example of a title of nobility.

If a Hotline Child Abuse is generated, these fostered children or adopted ones are not taken without the use of a say warrant or a court order as is done to the poor or to fathers fighting for custody when mom wants to train children to say dad touched them.

A swat team of professionals called F.A.S.T. (Florida's Allegation Support Team) helps foster and Adoption parents, created by the Department of Children & Families, stave off reports of abuses they do, by supplying ways and means of defeating the accusation made to the Department, then investigated by the same, the Department of Children and Families Child Protective Investigators.

These foster and adoptive parents receive $1000.00 a month per head. A parent with kids on maximum welfare gets only $303.00 a month and is forced to take classes 40 hours a week by legislation. These foster and adoptive parents do not have to take a class, nor do they have to do 8 hours of community service as is legislated upon the poor parent.

Community Service is punitive, supposed to be ordered by a court, by the way, which works attainder, also prohibited.

So, being poor, people are punished while an artificial group of a government-sponsored special class of labelled parents are rewarded.

These kids get scholarships and the state pays for tuition to college when reaching legal age, but would not pay the tuition of the poor people's kids, yet the do not mind stealing them.

This custom and tradition that created the juvenile justice system was actually ex post facto law created in 1899 in the State of Illinois, then such practice was plagiarized by neighboring states until the Congress of the United States in 1974 adopted this pattern of practice and making federal laws and guidelines.

All are based upon federal ex post facto law.

See Black's Law Dictionary 3rd and 4th editions on ex post facto law (6 definitions there).

A rolling stone gathers no moss, as a huge snowball is best made quickly on a slippery slope…

Good luck.

Darwin Stagner, II

-  *Darwin Stagner, II* | March 19, 2010 at 5:16 am |

  typo omission/correction: ” All are based upon federal ex post facto law.” It should read: All are based upon federal and state ex post facto law prohibitions (Article I section 9 and 10.)

-  *Kellene* | March 19, 2010 at 10:19 am |

  wow…so much I disagree with here and could share to redirect, yet I’m too tired to address them all… *sigh*

-  *Darwin Stagner, II* | March 20, 2010 at 9:07 am |

  Hey Kellene,

  I see many things you have written with a rather warm and global view, especially for preparedness, which government has not shared a view of with the general public, bearing in mind, if they are mistaken and lose footing in hold the government as it stands, say, through a natural disaster, to scale down accusations for posing any other notion of real time disastrous occurrences which would claim school of thoughts publicized, which in days of old amounted to accusations of sedition/treason.

  I actually do not have the time to delve into this, though, I wished I did. It does not pay my bills. I have children to protect from other battles as I depicted, and nobody carries my banner in that arena but myself.

  There is much to discuss concerning the svengolitic abuses of power, and more so on remedies to end such plagues upon the people whereby freedom is resolute for all equally.

  I actually thought this was more of David Dodge’s work just being echoed, and I saw many typo’s like date of Constitution drafted was 1787 not 1777, but that is petty to me as to the actual substance.

Actually, from what I gathered, there were 12 1/2 states that ratified TONA Which someone labled as ARTICLE XIII instead of proposed Amendment 13, or Amendment 13(retracted) or some other label describing what has been believed to occur.

Is it possible you may want to ask my view? Sure. Do I believe the Library of Congress was burned? sure

Do I believe that it would have been political gain for to say that certain ratified documents were burned? sure (especially when the instruments ratified by the states would have been actually held in Congress, until completed at that time, right?

Could I help? Probably, but it takes money to live on to investigate things like this.

What is my interest in all this? It is an intriguing concept missing from the Constitution, to lose one's citizenship, by any method, which I believed should have existed, but I believed for treason, but that method is by attainder only, which suffices.
Also, I have the same attitude as John Hancock. We are both born on the day dubbed as the "day of character' and I know my genealogy traces back to John and John Quincy Adams.
So place an emotional attachment check-mark along side the intellectual one, to see my view and interest.
If you would like to talk or chat let me know. I did by the way amend what I wrote in haste yesterday, due to typos and lack of preparedness to place enough info to benefit others understanding on my views.

I wonder how many people know for instance that the number on the back of their social security card is actually their bank account number that actually makes them a creditor, whereby parents are deceived into signing a power-of-attorney over to the government on their child's name that the money was placed into the bank account number.

Its almost funny how nobody exhausts themselves upon the 9th amendment rights also, Kelleen, or shares the meaning of all the definitions of the legal jargon employed in the mainframe of the Constitution itself.

I look at the Constitution the menu of steaks regarding rights as citizens.

I have looked at the Bill of Rights as a menu of hamburgers regarding rights as citizens.

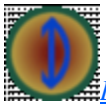
If the original 13th can be proven legal, then so the better, but in my everyday life, that I must afford and sustain, I have my own regimen of knowledge to employ actively in the courts, without using anything of David Dodge's to taint my success forward, if you catch my gist, lest my position be compromised until he or others ACTUALLY prove something.
If you know something that really helps me distinctly in what I have written, then please share, but do understand, I am not an lawyer.

I am a citizen protecting his actual father's rights to his children, and attainting a man seems today, to be the legal way in course of government these days, using several unconstitutional

processes employed I have barely described, whether you disagree or not on that part is where I am unsure of your message in reply.

I mean no offenses, just desiring the cerebral echo back and forth in a sprint of positive energy in informations exchanges to strengthen views and stand united as one mindedness should.

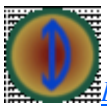
Thanks
D. Stagner, II

2.  *David* | August 6, 2009 at 1:29 pm | Reply

My understanding was that Esquire was a self-designated title. Looking at the definition it is one step ahead of "gentleman." Besides – the amendment specifies that it applies to those receiving and retaining such title "from any emperor, king, prince, or foreign power." Unless the BAR association is a foreign power it does not seem to apply to lawyers in general.

-  *Kellene* | August 6, 2009 at 3:25 pm | Reply

BAR actually stands for British Attorney Register. Receiving a BAR number was considered a title of nobility and gave you the ability to call yourself Esquire. So just being a lawyer (like Abraham Lincoln) would not have risen to the level of having a title of nobility. But claiming the suffix Esquire and receiving a BAR number definitely would and did qualify as a title of nobility.

-  *David* | August 6, 2009 at 3:48 pm |

Just to clarify, passing the BAR exam today and being registered with a BAR association is not the same thing as receiving a BAR number for the British Attorney Register – is that right? In which case very few of our lawyers would ever be affected by the amendment in question.

-  *Mike* | November 2, 2009 at 3:11 pm |

That simply is not true. The term "bar" as an association of lawyers comes from the metonymic use of the word denoting a railing in a courtroom.

Furthermore, the term "British Attorney Register" is stylistically inconsistent with usage at the time; "attorney" has always had a specialist meaning in British law, and would not have been applied to legal practitioners in general.

Leaving aside the small matter of the proposed Amendment never having been ratified, "Esquire" has never been a title of nobility; it was always a courtesy title.

-  *Kellene* | November 2, 2009 at 10:22 pm |

  Mike, here's a little homework you may have missed.
  During the middle 1600′s, the Crown of England established a formal registry in London where barristers were ordered by the Crown to be accredited. The establishment of this first International Bar Association allowed barrister-lawyers from all nations to be formally recognized and accredited by the only recognized accreditation society. From this, the acronym BAR was established denoting (informally) the British Accredited Registry, whose members became a powerful and integral force within the International Bar Association (IBA). Although this has been denied repeatedly as to its existence, the acronym BAR stood for the British barrister-lawyers who were members of the larger IBA.
  When America was still a chartered group of British colonies under patent – established in what was formally named the British Crown territory of New England – the first British Accredited Registry (BAR) was established in Boston during 1761 to attempt to allow only accredited barrister-lawyers access to the British courts of New England. This was the first attempt to control who could represent defendants in the court at or within the bar in America.

  Let's not forget that all U.S. BAR Attorneys have entitled themselves, as a direct result of their official BAR license and oaths, with the British title of "esquire." This word is a derivative of the British word "squire."
  SQUIRE, n. [a popular contraction of esquire] 1. In Great Britain, the title of a gentleman next in rank to a knight. 2. In Great Britain, an attendant on a noble warrior. 3. An attendant at court. 4. In the United States, the title of magistrates and lawyers. In New-England, it is particularly given to justices of the peace and judges. – Webster's 1828 Dictionary.
  ESQUIRE n. Earlier as squire n.1 lme. [Origin French. esquier (mod. écuyer) f. Latin scutarius shield - bearer, f. scutum shield: see - ary 1.] 1. Orig. (now Hist.), a young nobleman who, in training for knighthood, acted as shield-bearer and attendant to a knight. Later, a man belonging to the higher order of English gentry, ranking next below a knight. lme. b Hist. Any of various officers in the service of a king or nobleman. c A landed proprietor, a country squire. arch. – Oxford English Dictionary 1999.
  During the English feudal laws of land ownership and tenancy, a squire – esquire – was established as the land proprietor charged with the duty of carrying out, among various other duties, the act of attornment [see definition above] for the land owner and nobleman he served.

3.  *Helen* | November 25, 2009 at 10:44 am | Reply

   Have you considered the 14th Amendment, Section 3 and its applicability to our current "leader"?

-  *Kellene* | November 28, 2009 at 5:10 pm | Reply

  Yes, and it's painful to consider actually…. don't get me started there.

4.  *Dave* | January 8, 2010 at 10:41 pm | Reply

Mike, you may have also missed the word “honour” used in the article. This word refers to anyone that may have privileged over another, example;

In many states a judge must first be an attorney. This provides a privileged to a class of person that limits access to the body politic to the common man…strictly against what our founders wanted.

Example;
today, so long as an elected official is in office he can not be sued in civil court or arrested. This is not what the constitution says nor is it what was intended by our founders. The constitution specifically states that the elected representative may not be arrested while traveling to or from his particular house (Senate or Rep.) nor during his participation in session. It says nothing about when the jerk goes home, drinks, drives off bridges, violates laws and so on.

One further thought, our founders set up 3 separate and distinct branches of government, Judicial, Legislative and Executive. If an attorney has sworn an oath to the court as an attorney he then becomes an officer of the court — an officer of the Judicial Branch. How then as an officer of the Judicial Branch can he then serve in either of the other branches without serious conflict of interest and violation of the separation of powers.

Our founders were clear as stated two times in the constitution that titles and privlege could be a serious threat and in reading their writings the were also clear that lawyers and bankers with distorted loyalties would soon become corrupt and become enemies of the state.

Our founders were incredible historians and had a powerful understanding of human nature when one man percieves authority over another.

this is not an indictment of lawyers or the legal profession, it is a clear understanding of human nature, they made it clear that they did not believe any person could deal with these dual loyalties or privilege over another.

5. *donald corcoran* | January 7, 2011 at 10:25 am | Reply

I think it should be looked into for if you look at all the things the lawyers who are in office passed all seem to favor them not the people who put them in office we should get that missing part back into the 13 amendment and as soon as posible.

## LEAVE A REPLY

Your email address will not be published. Required fields are marked *

Name *

Email *

Website

Comment

You may use these HTML tags and attributes: <a href="" title=""> <abbr title=""> <acronym title=""> <b> <blockquote cite=""> <cite> <code> <pre> <del datetime="">  <i> <q cite=""> <strike> 

Post Comment

Notify me of follow-up comments via email.

Send me site updates

## SEARCH IT!

Search for: Search

## RECENT ENTRIES

- What Would You Do To Stop Hitler Today?
- This Is Where I Stand
- For Freedom's Sake, Boycott Home Depot
- The First Lady Requires $1.7 Million in Servants
- Obama's Deception–keeps getting deeper
- The REAL Chrysler/GM Scandal
- What the Media Didn't Tell You About Obama's Vacation
- September 8, 2009–Make it a Day of Freedom!
- Cherilyn Eagar-Playing a Game
- Muslims in Mexico

## LINKS

- Best Web Information
- Face Right
- Fightin Words
- Intolerant Fox
- Kellene Bishop
- LDS Freedom
- Preparedness Pro

- Women of Caliber