# 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:

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## http://www.w3f.com/...

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.

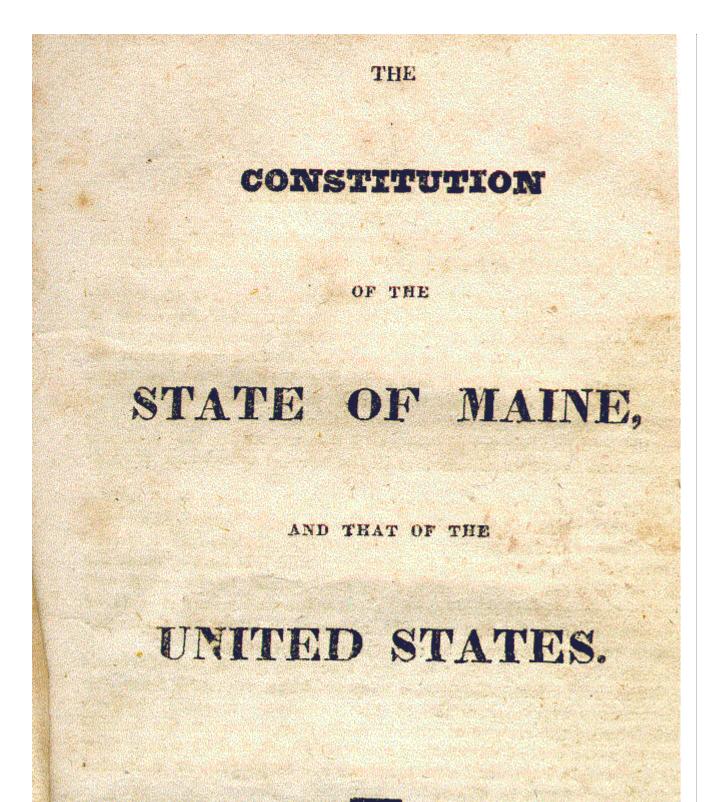
In June of this year, Dodge uncovered the evidence that this missing 13th Amendment had indeed been lawfully ratified by the state of Virginia and was therefore an authentic Amendment to the American Constitution. If the evidence is correct and no logical errors have been made, a 13th Amendment restricting 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:



# 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.

# 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.

# DECLARATION OF INDEPENDENCE.

IN CONGRESS, JULY 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 mankind, requires, that they should declare the causes which im-

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, 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."

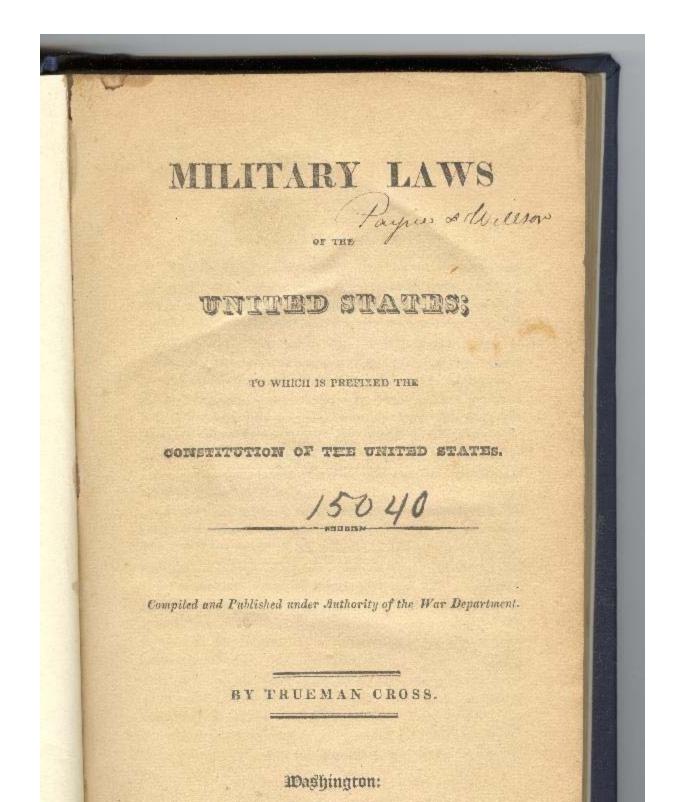
The book, published under authority of the War Department in 1825, proves that the original 13th Amendment that prohibits Americans from holding Titles of Nobility, was part of the Constitution until it was mysteriously replaced with a new 13th Amendment that banned slavery after the Civil War. "When 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:



16

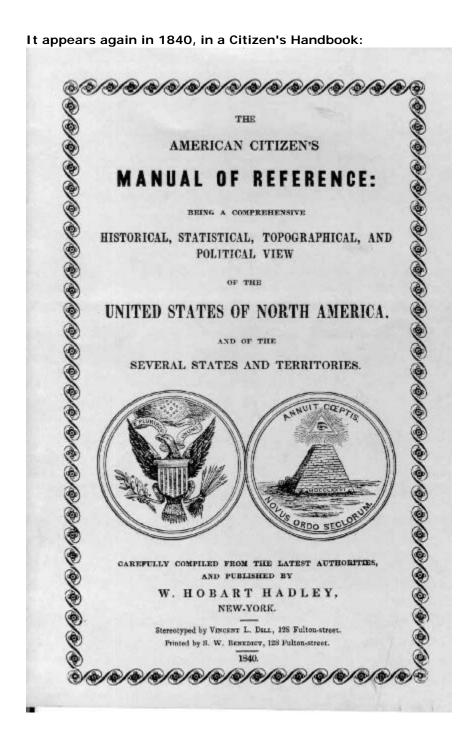
tinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit scaled to the seat of the government of the United States, directed to the president of the senate; the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted: the person having the greatest number of votes for president, shall 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 exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before 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.

2. The person having the greatest number of votes as vice-president, 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 for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

S. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

# 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 incausable of holding any office of tenst or pre-



AMENDMENTS TO THE CONSTITUTION. 18 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 Vice-President, shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no IN person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds 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 Fel President shall be eligible to that of Vice President of the United fille ART. XIII .- If any citizen of the United States shall accept, tion claim, receive, or retain any title of nobility or honor, or shall day without the consent of Congress, accept or retain any present, by : pension, office, or emolument of any kind whatever. from any tion emperor, king, prince, or foreign power, such person shall cease est to be a citizen of the United States, and shall be incapable of dec holding any office of trust or profit under them, or either of them. was me rup time trus to a dist whe mer istra Int fait circ that sen low as v me, and of to t be 1

Colorado has it as late as 1867:

# THE

# REVISED STATUTES

OF.

# COLORADO:

AS PASSED AT THE

# SEVENTH SESSION OF THE LEGISLATIVE ASSEMBLY,

CONVENED ON THE SECOND DAY OF DECEMBER, A. D. 1807.

ALBO, THE

ACTS OF A PUBLIC NATURE PASSED AT THE SAME SES-SION, AND THE PRIOR LAWS STILL IN FORCE.

TOUSTHER WITH

THE DECLARATION OF INDEPENDENCE, THE CONSTITUTION OF THE UNITED STATES, THE ORGANIO ACT, AND THE AMENDMENTS THERETO.

PURLIERRO BY ACTRORITY.

# ARTICLE XIL

1. The electors shall meet in their respective states and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state as themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit scaled to the seat of government of the United States, directed to the president of the senate; the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes hall then be counted; the person having the greatest number I votes for president shall be the president, if such number be a majority of the whole number of electors appointed; and if on person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to m choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them. before the fourth day of March 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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to a choice.

8. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

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.

# ARTICLE XIV.

1. Neither slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appro-

priate legislation.

(Note.—The list article of the amendmentate the constitution was proposed at the macra session of the third congress; the list article, at the first session of the eighth congress; and the link article, at the second session of the elevanth congress.)

Daily Kos: State of the Nation

Kansas, 1868, including the "13th" Anti-Slavery Amendment listed at 14:

Sedgwick County Law Library

# THE

# GENERAL STATUTES

OF THE

# STATE OF KANSAS:

REVISED BY JOHN M. PRICE, SAMUEL A. RIGGS, AND JAMES MCCAHON,

COMMISSIONERS APPRINTED BY THE GOVERNOR, UNDER AN ACT APPROVID FEBRUARY IS, 1867, REPORTED FO, AND AMEN MED AND ADOPTED BY, THE LESS LATURE, AT ITS EPOIL AS EXSELVE DY 1815.

WITH HEAD NOTES, MARGINAL NOTES, REFERENCES TO DECISIONS, AND AN INDEX, PREPARED BY THE COMMISSIONERS.

TO WEICH THE

CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF KANSAS,

TOGETHER WITH THE OBGANIC ACT OF THE TERRITORY OF KANSAS, THE TREATY CEDING THE TERRITORY OF LOUISIAND TO THE UNITED STATES, AND THE ACT ADMITTING KANSAS INTO THE UNION,

ARE PREFIXED

PUBLISHED BY AUTHORITY OF LAW



COXS

Formula I for State of Martindole 19 THE UNITED STATES.

3. But no person constitutionally ineligible to the office magnificances. of President, shall be eligible to that of Vice President of the United States.

# ARTICLE XIII.

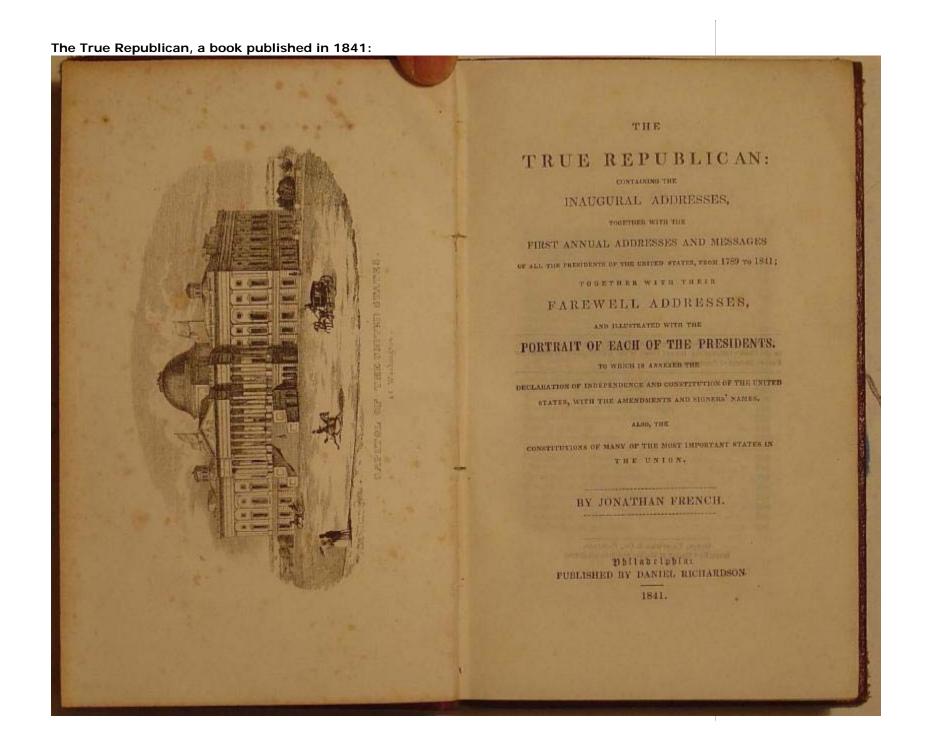
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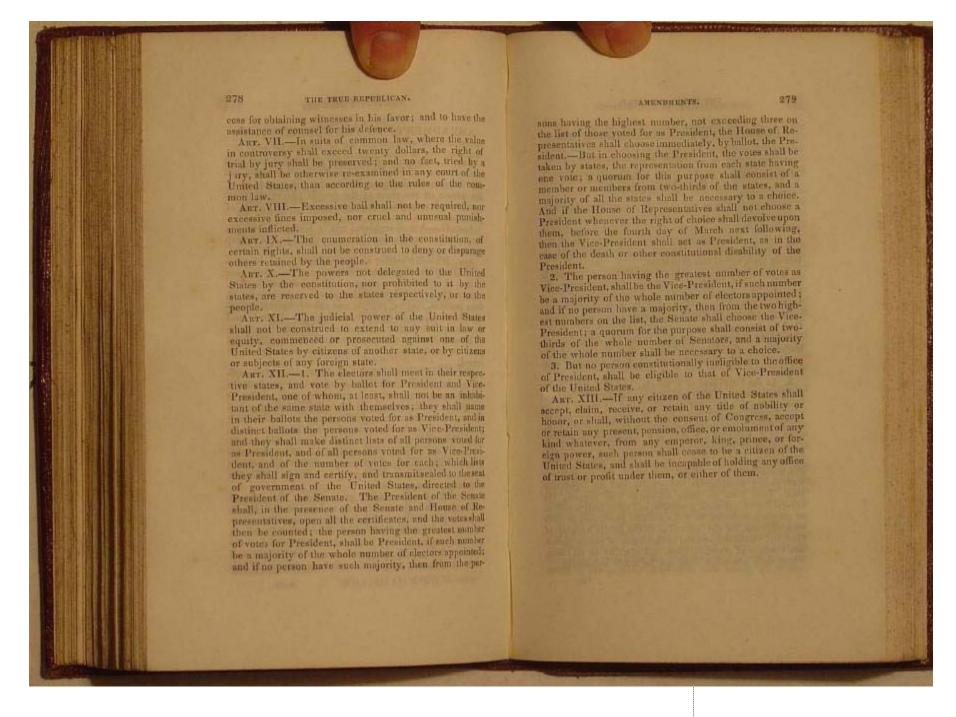
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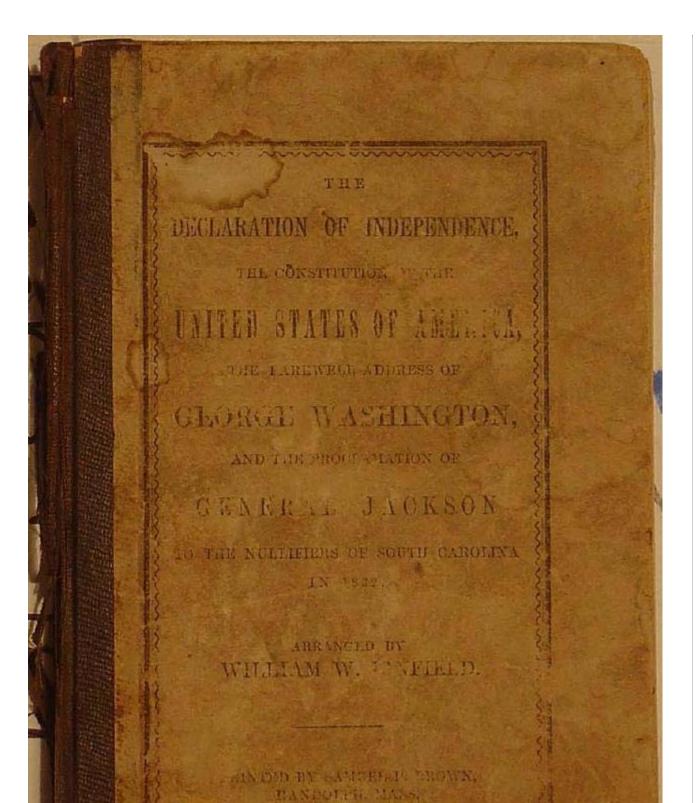
2. Congress shall have power to enforce this article by some concerts appropriate legislation.

[Norg.-The 13th article of the amendments to the Constitution was proposed at the secand session of the third Congress; the 12th article at the first session of the nightle Congross; and the 13th article at the second session of the eleventh Congress. The 14th article was proposed by Congress as an amendment to the Constitution, by a resolution passed on the first day of February, 1865, and on the 18th day of December, following, William H. Seward, Secretary of State, issued a proplamation stating that said amerylment lad been ratified by the Legislatures of the following States, to wit: Lifnois, Libede Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missonni, Nevada, Indiana, Lonisiana, Minnesota, Wisconsin, Vermont. Tennessee, Arkansas, Connections, New Hampshire, South Carolina, Alabama, North Carolina and Georgia.]





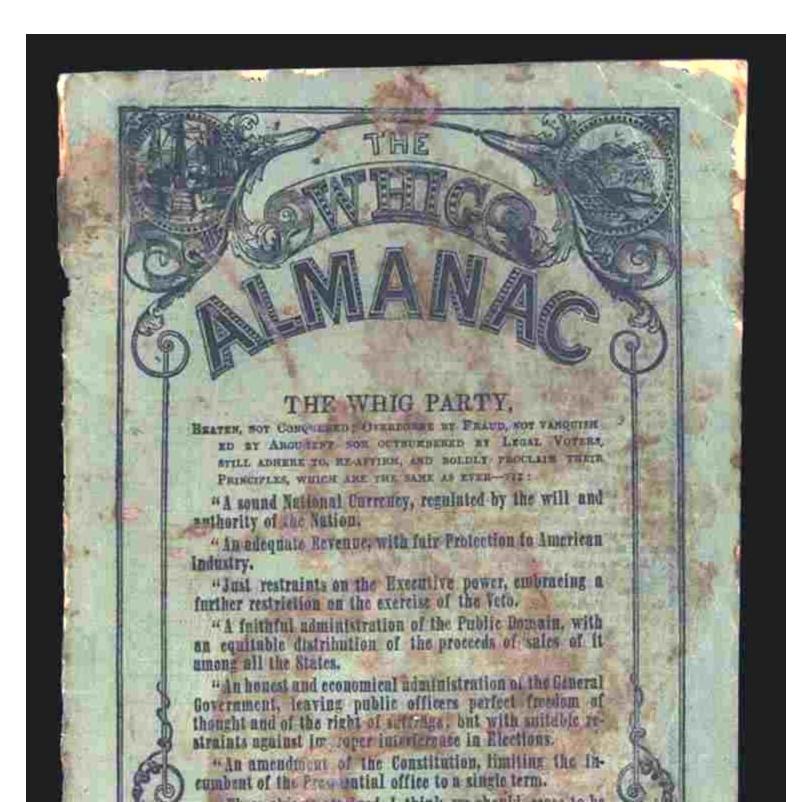
The Constitution - Federalist of 1862:



AMENDMENTS. 46 AMENDMENTS. king, prince, or foreign power, the fourth day of March next following, shall cease to be a citizen of then the Vice-President shall act as Presi-States, and shall be incapable dent, as in the case of the death, or other any office of trust or profit un constitutional disability, of the President. either of them. 2. The person having the greatest number of votes as Vice-President 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 for the purpose shall consist of two thirds 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. 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 or retain any present, pension, office, or emolument of any kind whatever, from any emperor,

Daily Kos: State of the Nation

The Whig Almanac - 1845:



shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

the States present, the seventeenth day of Septem- flicted. ber, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America, the Twelfth.

In witness whereof, we have hereunto subscribed

GEORGE WASHINGTON, President, and Deputy from Virginia.

## AMENDMENTS.

Articles in addition to, and amendment of, the Conpoted by Congress, and ratified by the Legislatures of the several States, pursuant to the Fafth Article of the original Constitution.

## ARTICLE L.

No person shall be held to answer for a capital or President shall not choose a President whenever the right of choire shall devolve upon them before the fourth day of March next following, then the Vice President shall not as President, as in the case of the etherwine infamous crowe, unless on a presentment or indictment of a stand jury, except in cases arising in the land or naval forcet, or in the militia when in actual service, in time of war or public damper; nor shall service, in time of war or public damper; nor shall be the vice president, if such the person be subject, for the same offence, to be tors appointed; and, if no senson have a majority, twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty or property, pyrpose shall consist of two-thirds of the whole number.

### ARTICLE VIII.

Excessive ball shall not be required, nor excessive Dana in Convention, by the manimous consent of fines imposed, nor cruel and unusual punishments in-

#### ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

#### ARTICLE X.

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

### ARTICLE XL.

The judicial power of the United States shall not be construed to extend to any suit in law or equity stitution of the United States of America, pro-States, by citizens of another State, or by citizens or subjects of any foreign state.

### ARTICLE XII.

The Electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise there of; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of gravances.

ARTICLE II.

A well regulated militia being necessary to the secundict of the seat of government of the United States, and of free state, the right of the people to keep and bear arms shall not be intringed.

ARTICLE III.

ARTICLE III. the same State with themselves; they shall name in No soldier shall, in time of peace, be quartered in any house without the coment of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons that the persons shall choose immediately, by hallot, the searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by on the or affirmation, and particularly describing the place to be searched, and the persons or things to fit the states, and a majority of the whole number of Electors appointed; and, if no persons have such majority, then, from the persons have such majority, then, from the

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.

Just thought I'd share.



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

Permalink | 90 comments

Comments: ○ Expand ○ Shrink ○ Hide □ (Always) | ● Indented ○ Flat ☑ (Always)

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So, I wonder what else is in our memory hole. (27 + / 0 -)
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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

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Excellent, pinche tejano (3+ / 0-)
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Thank you.

Wish we could make it stick.

See my art at Peace Angel and Al Gore'08

by Tigana on Tue Jul 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 Jul 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 Jul 11, 2007 at 02:12:43 PM PDT [ Parent ]

have been to that website? (1 + / 0 -)

http://www.thememoryhole.org/

Daily Kos: State of the Nation



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