

Devvv Kidd
March 2010

This work is dedicated to Bill Benson and his wife Lorraine. If Bill had not given up two years of his life to root out the official state and federal documents, we would never have known that both the Sixteenth and Seventeenth Amendments to the U.S. Constitution were never properly ratified. For uncovering this monstrous tragedy for our country, Bill has endured prison and endless hounding and prosecution by "our" government. His wife has stood by his side for almost three decades of this injustice and suffered as she watched her husband flogged near to death by "our" government.

This is a lengthy document. I tried to make it clear and easy to follow.

All of these official documents were obtained in person in Washington, DC, from the National Archives. I was accompanied by two dear friends, Dane vonBreichenruchardt, President, [Bill of Rights Foundation](#), Washington, DC, and my other friend who wishes to remain anonymous. He is considered a 'master' researcher because of his experience doing research at the National Archives. I am truly grateful for their help in gathering these documents and to the sponsors of my trip.

Dane and my other friend can verify we were given the run around during the collection of some documents. We asked for everything on the ratification of the Seventeenth Amendment. Every document no matter if it was a letter, vote, copy of the resolution. We were told the rolls of microfilm in the archives contained ALL records.

I believe I did not get all I requested, either because they are no longer there or I was not meant to receive them. We were there several days; ample time for collection. All of these documents were on microfilm and copied by all of us at some point. They were copied in order off the microfilm and we were very careful not to skip any pages.

On March 31, 2009, we had a very short meeting with Congressman Ron Paul; the first and only time I have ever spoken with him. While our meeting was not about the Seventeenth Amendment, the issue of looting of documents from our precious National Archives came up. Ron Paul is aware of what has been going on; no more comment on that right now. This sickens me. The documents in the people's archives are originals and can never be replaced. They are our history.

If at all possible and you live near your state capitol, I hope you can visit and get court certified, every document they have on the vote and any correspondence from your state to Washington, DC on the Seventeenth Amendment — before more documents disappear. See link at bottom on the thief, Sandy Berger.

If you are a state legislator, please do everything in your official capacity to make your state archives produce all documents relating to the ratification of the Seventeenth Amendment by your state. I do not exaggerate when I say there is a high probability that some are already missing and we don't want more to vanish.

Many states were not in session at the time the Seventeenth Amendment was submitted. No Action was taken by some legislatures which begs the legal question:

If a state legislature was out of session at the time the voting process was underway, do they lose their equal right to representation due to actions by Congress beyond their control? I believe this is a KEY legal issue that must be addressed by the states; see:

Full text of "Constitution Jefferson's Manual And Rules Of the House Of Representatives Of The United States Eighty Seventh Congress"

http://www.archive.org/stream/constitutionjeff014670mbp/constitutionjeff014670mbp_djvu.txt

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose, Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that **no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.**

"Question has arisen as to the power of a State to recall its assent to a constitutional amendment (V. 7042)."

Since several states were out of session at the time of the vote, have they been deprived of equal Suffrage in the U.S. Senate because they did not participate in the ratification of this amendment? Is fraud (non ratification) enough to allow a state to declare it null and void in their state?

No Action taken: Alabama, Florida, Georgia, Kentucky, Maryland, Delaware. No record for Oregon, Rhode Island, South Carolina, Vermont, Washington State.

That Amendment was processed by Philander Chase Knox, Secretary of State in 1912, and then by his successor, William Jennings Bryan. I provide that just to clear up any confusion looking through the documents. The page numbers I refer to are ones I put on each page to avoid getting the documents mixed up since there are 239 of them.

From the official documents:

**Department of State — Office of the Solicitor — Memorandum
June 2, 1913 — See page 17, 24 & 25**

List of Errors in Resolutions of State Legislatures

Arizona, Arkansas, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, Wisconsin, Wyoming.

Page 26: "...the Executive branch* of the Government ruled that these errors were immaterial to the adoption of the amendment, it is clear that the procedure in which may be properly followed in proclaiming the adoption of the proposed amendment — that is to say, that *the Secretary of State may disregard the errors* contained in the certified copies of the Resolution of the Legislatures acting affirmatively on the proposed amendment." (Italics mine)

* No conflict of interest there!

Please note on page 27:

"It is believed that this meets fully the requirement with reference to receipt of "official notice" contained in Section 205, Revised Statutes of the United States (quoted supra page 2) and that Minnesota should therefore be numbered with the States ratifying the amendment."

This will come into play regarding the legal research courtesy of constitutional Attorney Larry Becraft below.

William Jennings Bryan declared the Seventeenth Amendment ratified at 11:00 am, May 31, 1913, by proclamation.

Before we go state by state, let me point this out:

Page 12:

AMENDMENT [XVII.] 9

House, 48 Cong. Rec. (62d Cong., 2d Sess.) 6367, having previously passed the Senate on June 12, 1911. 47 Cong. Rec. (62d Cong., 1st Sess.) 1925. It appears officially in 37 Stat. 646. Ratification was completed on April 8, 1913, when the thirty—sixth State (Connecticut) approved the amendment, there being then 48 States in the Union. On May 31, 1913, Secretary of State Bryan certified that it had become a part of the Constitution. 38 Stat 2049.

Ratification was completed on April 8, 1913?

According to the official documents from the National Archives, pg 48, Arizona ratified June 3, 1913; Arkansas ratified April 14, 1913; Connecticut ratified April 15, 1913; Minnesota ratified June 10, 1913; Wisconsin ratified May 9, 1913.

How is it the ratification process could be completed April 8, 1913, when five states didn't ratify it until after that date?

The states of the Union must force a showdown. They can appoint two U.S. Senators and send them to Washington. That would force a constitutional showdown. They can sue the government and go straight to the U.S. Supreme Court. No path is going to be easy because of something called an enrolled bill.

Constitutional Attorney Larry Becraft represented Bill Benson in a lawsuit over the Sixteenth Amendment in the State of Oklahoma in 2001. For additional information on that lawsuit, see [Inside Oklahoma's 16th Amendment lawsuit](#).

Click here to read [SHORT EXPOSITION RE LAW OF RATIFICATION OF CONSTITUTIONAL AMENDMENTS](#) on Larry's web site. This is a lengthy and somewhat complicated document. HOWEVER, we must understand all the legal minefields and court rulings from the past. That legal research will be invaluable for state legislators and their legal staff.

Going state by state from the archives:

Alabama — No Action. Alabama was out of session until January 1915

Arizona — various errors in typographical print and one word added. Declared ratified.

Arkansas — Declared Ratified. Missing:

JOINT RESOLUTION

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two—thirds of each House concurring therein).

That language is in the official submission to the states.

California — Declared ratified; text full of errors. Omitted last paragraph of the amendment!

Let's deal with this mess. Bryan's documents show ratified January 28, 1913; pg 43.

However, in June 2002, I personally retrieved a number of documents from the California State Archives. Many don't know that Bill Benson, who researched the Sixteenth Amendment did the Seventeenth at the same time. This type of research requires cross checking between documents in the National Archives and each state archives individually.

They are scanned with the rest, but you will see these exhibits relating to the Seventeenth ([click here](#)):

1. Letter from the office of March Fong Eu, Secretary of State, California dated November 23, 1981. The archivist could find no record of any debate or the vote for the Sixteenth and Seventeenth Amendments. NO RECORD OF THE VOTE.

2. The second document is Assembly Joint Resolution No. 5, January 20, 1913, regarding the Seventeenth Amendment. These documents I personally retrieved from the State Archives in California. That J.R. is only 8 days before U.S. Secretary of State, William Jennings Bryan declares it ratified by California. There were no fax machines, email or overnight mail. It is impossible to believe that their assembly and senate could have voted and transmitted the documents within eight days to Washington DC in the dead of winter. Besides the all important detail: No record of any debate or vote exists.

3. The next document is titled Engrossed Constitutional Amendment — Assembly Constitutional Amendment No. 92, dated April 23, 1913.

Now, this is very important. Right below is the link to several pages cited above. You've looked at the letter from March Fong Yu, former Secretary of State of California: no record of debate or vote on the Seventeenth Amendment. Yet, the second document dated January 20, 1913 declares the state ratified it.

Scroll down to page five -- this is another document I personally obtained at the California State Archives. I believe Bill Benson and constitutional attorney Larry Becraft also have them. Note the date on this Assembly Final History dated April 23, 1913, four months after California allegedly ratified the amendment.

Go down to the next page of the Assembly Final History and see item 7 dated Jan 20, 1913: The Amendment was read, sent to printer and by May 11, 1913, gone from committee with NO recommendation.

How is all this possible if William Jennings Bryan declared it ratified on January 28, 1913?

These images are [here](#).

Now, in File 2, which contains all documents I retrieved, see page 20. Secretary Bryan says 36 states have taken action purporting to ratify the amendment and no official information has been received from any State to the effect that the Legislature of that state has rejected the said amendment. That document is dated June 2, 1913, three days after William Jennings Bryan declared the Seventeenth Amendment ratified (May 31, 1913).

Colorado — Punctuation errors as well as typos. Declared Ratified.

Connecticut — Missing italics as in the original submission from DC. Declared ratified.

Delaware — Letter from the Delaware Secretary of State took no action.

Florida — No Action; see letter from Governor Trammell.

Georgia — No Action.

I highly encourage every state legislator to read the *Report of Committee and Resolutions Adopted by the General Assembly of Georgia Relative to the Proposed Amendment to the Constitution of the United States Providing for the Election of United States Senators by the People*. Pgs 85 —97.

That report was signed by the Committee on behalf of their Senate, House, the Speaker of the House, Clerk of the House, President of the Senate. Those individuals fully understood what would happen to the State of Georgia if that amendment passed: they would lose their right of suffrage. Too bad we don't have statesmen like that serving in our Congress for decades.

Idaho — Bryan's documents show ratified January 31, 1913. Idaho's official document with seal shows the house passed January 23, 1913, the senate January 31, 1913 and signed off on February 7, 1913

Many typos and punctuation errors. Declared Ratified.

Illinois — Declared Ratified. Ditto.

Indiana — Declared Ratified. Ditto.

Iowa — Declared Ratified. Ditto.

Kansas — Declared Ratified. Ditto.

Kentucky — No Action. Kentucky was out of session until 1914.

Louisiana — Page 143: Ratification. Punctuation errors.

Official List of states which allegedly ratified, pg 43 does not list Louisiana.

Page 44 lists Louisiana ratified June 11, 1914

However, U.S. Secretary of State declared the amendment ratified on May 31, 1913.

Maine — Declared Ratified. Many typos and punctuation errors.

Maryland — No Action taken per their Secretary of State.

Massachusetts — Declared Ratified. Many typos and punctuation errors.

Michigan — Declared Ratified. Ditto.

Minnesota — Declared Ratified. However, there were but a few documents from the National Archives for that state; none show the amendment that was allegedly voted on by their legislature.

Missouri — Declared Ratified. That record is all in long hand. The sealed document from the Secretary of State declares it approved, dated April 14, 1913. The official archive document (pg. 43) says March 7, 1913. No other documents for that state.

Montana — Declared Ratified. Words changed, punctuation.

Nebraska — Declared Ratified. Words added, punctuation

The Governor signed off on the vote ratifying by their legislature on March 27, 1913.

The Official DC documents show Nebraska ratified it on February 5, 1913.

Nevada — Declared Ratified. Punctuation.

New Hampshire — Declared Ratified. All the usual punctuation and errors of italics. One paragraph appears to be not conformed.

New Jersey — Declared Ratified. Some different text, word changes and usual errors. Pages are missing.

New Mexico — Declared Ratified. Page missing.

New York — Declared Ratified. One paragraph has different text. Certification shows only their assembly voted for it; no mention of their senate.

North Dakota — Declared Ratified. Only shows house bill; no mention of vote by the senate.

Ohio — Declared Ratified. Usual errors. Missing paragraph. HJR 3 is for the House. No version of Senate shown, both allegedly voted yea.

Oklahoma — Declared Ratified. Missing a paragraph.

Oregon — Declared Ratified. No records on micro film.

Pennsylvania — Declared Ratified. Paperwork a mess.

Rhode Island — Not on Archives official list. No records on microfilm.

South Carolina — Not listed on archives list of ratified states. No documents on microfilm.

South Dakota — Declared Ratified. Usual errors. No records on micro film.

Tennessee — Declared Ratified. Paperwork a mess; had to use a search engine to find the state matching the governor.

Texas — Declared Ratified. Paragraph changes. Usual errors. Had to use search engine to find Secretary of State and the governor.

Vermont — Declared Ratified. No records on microfilm.

Washington — Declared Ratified. No records on microfilm.

West Virginia — Declared Ratified. Different text, first paragraph. Usual errors. Lack of paperwork.

Wisconsin — Declared Ratified. Usual errors and change in text. Lack of paperwork.

However, in Bill Benson's book (see link at bottom), he has a letter dated May 3, 1913, written by John B. Moore, Assistant Secretary of State to His Excellency, the Governor of Wisconsin. In this letter he says, "A comparison of the last mentioned Resolution with the one passed [emphasis mine] by the Wisconsin Legislature shows that certain clauses and paragraphs have been added in the later Resolution which were not contained in the Resolution passed by Congress."

Besides the fact this proves there was no conformity to the language for passage, note the date: May 3, 1913. According to the official documents, pg 43, Wisconsin's legislature ratified on May 9, 1913 — six days later. Wait! In the Benson documents is a letter dated May 5, 1913, from Governor Francis McGovern which states he acknowledges Moore's letter and the error in ratification (meaning it was no good). McGovern states he is transmitting copies of Moore's letter to the both branches of his legislature.

No other documentation showing another vote was taken.

Wyoming — Declared Ratified. Paperwork missing.

Total: 36 States. 48 states belonged to the Union at that time.

No Action: Alabama, Delaware, Florida, Georgia, Kentucky, Maryland.

Some of the states are not on microfilm in DC. They would be sandwiched between other states and should have been on the rolls: Oregon, Rhode Island, South Carolina, Vermont, Washington State.

Those documents (239 pages) I collected were court certified by the Archivist. I photographed them with the seal, but in order to go through them page by page, I had to cut the seal and the 'button's which bundled them. Those photos are here.

[\(Also this link\)](#)

The file containing all the documents for the states above, [click here](#).

(Please understand the file above is 68.76MB. That means it takes a few minutes to load, even with DSL. It takes longer on my system (and I have high speed) to load in FireFox than Explorer. It will also load in Netscape, but takes about five full minutes. I just want you to know it is there, it just takes some time to load such a huge file.)

Please feel free to download this page and the files onto a CD and get it to your state legislator with a cover letter. I would start with those legislators who voted for the Tenth Amendment Resolution in their state or supported one that didn't make it out of committee. [That list is here](#). If you live in the State of Pennsylvania, please add these state reps:

Rohrer, Baker, Barrar, Bear, Benninghoff, Boyd, Brooks, Clymer, Cox, Creighton, Cutler, Denlinger, Ellis, Fleck, Gabig, Gabler, Geist, Gibbons, Gingrich, Goodman, Grell, Grove, Harris, Hutchinson, Kauffman, Marisco, Metcalfe, Metzgar, Micozzie, Miller, Moul, Mustio, Oberlander, Payne, Perry, Phillips, Pyle, Quigley, Rapp, Reese, Reichley, Roae, Rock, Saylor, Schroder, Sonney, Stern, Stevenson, Swanger, Tallman, True, Turzai, Marshall, Grucela, Delozier, M. Keller, Vulkovich, Hickernell, Krieger, Mensch, S. H. Smith and Murt

[Why the Seventeenth Amendment can't be repealed](#)

I don't have the list at this time for Wyoming which just passed a Tenth Amendment Resolution; signed by their governor last week.

Three horrendous things happened in 1913 and yes, it was a conspiracy.

1. The Sixteenth Amendment to the U.S. Constitution was declared ratified. The income tax amendment. It clearly was not.
2. The Seventeenth Amendment to the U.S. Constitution was declared ratified. It clearly was not.
3. The unconstitutional Federal Reserve Banking Act of 1913 was passed.

The income tax amendment was critical. It was needed to feed the privately owned consortium of banks called the FED. The Seventeenth Amendment was critical to remove the right of the states of the Union to equal representation in the U.S. Senate. Henceforth, those seats were up for the highest bidder.

The states are stomped on. The American people are bled to death via heavy progressive taxation and those fruits of our labor go into the coffers of an international and domestic banking cartel draining the lifeblood of this country and our people.

It was a conspiracy. A provable conspiracy: [The Creature from Jekyll Island: A Second Look at the Federal Reserve](#) by G. Edward Griffin.

Griffin's book is a factual account of the secret meetings at Jekyll Island between powerful bankers to seize and control the monetary system of our country. They were aided and abetted by rotten, corrupt senators who got the bill pushed through. You can watch an interview with G. Edward Griffin on the "FED" [here](#).

"This [Federal Reserve Act] establishes the most gigantic trust on earth. When the President [Wilson] signs this bill, the invisible government of the monetary power will be legalized....the worst legislative crime of the ages is perpetrated by this banking and currency bill." — Charles A. Lindbergh, Sr.

"From now on, depressions will be scientifically created." — Congressman Charles A. Lindbergh Sr.

"The financial system has been turned over to the Federal Reserve Board. That Board administers the finance system by authority of a purely profiteering group. The system is Private, conducted for the sole purpose of obtaining the greatest possible profits from the use of other people's money" — Charles A. Lindbergh Sr.

Lindbergh's book, *Banking and Currency and The Money Trust* is [available free on line](#).

Supporting documentation and publications:

Fess, Simeon D. 1861—1936. works: [Ratification of the Constitution and amendments by the states](#) By statement: prepared by the Legislative Reference Service of the Library of Congress ... Series: 71st Cong., 3d sess. Senate. Doc., 240, Senate document (United States. Congress. Senate) ; 71st Congress, no. 240. Most large libraries carry this publication.

[Proposing a Constitutional Amendment](#)

[Proof the Seventeenth Amendment Was Not Ratified](#)

Bill Benson's collected documents. They are invaluable because they come from the state legislatures; their archives. These were not available to me in Washington, DC. I have not reproduced them because they are Bill's labor.

[Special Page for State Legislators on Seventeenth Amendment](#)

The Lunatic Left Is Getting Desperate

<http://www.lewrockwell.com/dilorenzo/dilorenzo183.html>

[Well connected, protected thief:](#)

Former National Security Adviser Sandy Berger (Clinton Administration) was caught stealing original documents from the National Archives, which he destroyed. These were highly classified terrorism documents that would have exposed Bill Clinton for the failure he was — except with anything wearing skirts. Berger lied to investigators. That thief pled guilty, paid a \$50,000 fine and became Marxist Hillary Clinton's key foreign policy adviser during her failed campaign for the presidency. Birds of a feather. If it were you and I, we would have gone to prison plus the fine. It pays to have friends in high places.

On May 23, 1933, Congressman, Louis T. McFadden, brought formal charges against the Board of Governors of the Federal Reserve Bank system, The Comptroller of the Currency and the Secretary of United States Treasury for numerous criminal acts, including but not limited to, CONSPIRACY, FRAUD, UNLAWFUL CONVERSION, AND TREASON. Below is an excerpt; [the full text is here](#).

"Mr. Chairman, we have in this Country one of the most corrupt institutions the world has ever known. I refer to the Federal Reserve Board and the Federal Reserve Banks, hereinafter called the Fed. The Fed has cheated the Government of these United States and the people of the United States out of enough money to pay the Nation's debt. The depredations and iniquities of the Fed has cost enough money to pay the National debt several times over.

"This evil institution has impoverished and ruined the people of these United States, has bankrupted itself, and has practically bankrupted our Government. It has done this through the defects of the law under which it operates, through the maladministration of that law by the Fed and through the corrupt practices of the moneyed vultures who control it.

"Some people who think that the Federal Reserve Banks United States Government institutions. They are private monopolies which prey upon the people of these United States for the benefit of themselves and their foreign customers; foreign and domestic speculators and swindlers; and rich and predatory money lender. In that dark crew of financial pirates there are those who would cut a man's throat to get a dollar out of his pocket; there are those who send money into states to buy votes to control our legislatures; there are those who maintain International propaganda for the purpose of

deceiving us into granting of new concessions which will permit them to cover up their past misdeeds and set again in motion their gigantic train of crime.

"These twelve private credit monopolies were deceitfully and disloyally foisted upon this Country by the bankers who came here from Europe and repaid us our hospitality by undermining our American institutions. Those bankers took money out of this Country to finance Japan in a war against Russia. They created a reign of terror in Russia with our money in order to help that war along. They instigated the separate peace between Germany and Russia, and thus drove a wedge between the allies in World War.

"They financed Trotsky's passage from New York to Russia so that he might assist in the destruction of the Russian Empire. They fomented and instigated the Russian Revolution, and placed a large fund of American dollars at Trotsky's disposal in one of their branch banks in Sweden so that through him Russian homes might be thoroughly broken up and Russian children flung far and wide from their natural protectors. They have since begun breaking up of American homes and the dispersal of American children. "Mr. Chairman, there should be no partisanship in matters concerning banking and currency affairs in this Country, and I do not speak with any.

"In 1912 the National Monetary Association, under the chairmanship of the late Senator Nelson W. Aldrich, made a report and presented a vicious bill called the National Reserve Association bill. This bill is usually spoken of as the Aldrich bill. Senator Aldrich did not write the Aldrich bill. He was the tool, if not the accomplice, of the European bankers who for nearly twenty years had been scheming to set up a central bank in this Country and who in 1912 has spent and were continuing to spend vast sums of money to accomplish their purpose.

"We were opposed to the Aldrich plan for a central bank. The men who rule the Democratic Party then promised the people that if they were returned to power there would be no central bank established here while they held the reigns of government. Thirteen months later that promise was broken, and the Wilson administration, under the tutelage of those sinister Wall Street figures who stood behind Colonel House, established here in our free Country the worm—eaten monarchical institution of the "King's Bank" to control us from the top downward, and from the cradle to the grave."

Devy Kidd authored the booklets, *Why A Bankrupt America* and *Blind Loyalty*; 2 million copies distributed. Devvy appears on radio shows all over the country. She left the Republican Party in 1996 and has been an independent voter ever since. Devvy isn't left, right or in the middle; she is a constitutionalist who believes in the supreme law of the land, not some political party.

Visit Devvy's website at: <http://www.devy.com>.
You may also sign up for her free email alerts.

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