

## 1 HOUSE JOINT RESOLUTION NO. 9

2 INTRODUCED BY J. READ

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA DECLARING DOCUMENTS RELATED TO THE ORIGINAL 13TH AMENDMENT AS RECORDS  
6 OF PERMANENT VALUE AND REQUESTING THE MONTANA HISTORICAL SOCIETY CREATE A  
7 REPOSITORY FOR PRESERVATION OF THE RECORDS.  
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9 WHEREAS, in 1810 an amendment to the United States Constitution prohibiting titles of nobility was  
10 introduced by United States Senator Philip Reed, passed both houses of Congress, and was sent to the states  
11 for ratification; and

12 WHEREAS, this amendment, now known as the original 13th Amendment, states "If any citizen of the  
13 United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of  
14 Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any  
15 Emperor, King, Prince or foreign power, such person shall cease to be a citizen of the United States, and shall  
16 be incapable of holding any office of trust or profit under them, or either of them"; and

17 WHEREAS, 13 states were necessary to ratify the proposed amendment to make it part of the United  
18 States Constitution; and

19 WHEREAS, 12 states ratified the original 13th Amendment between 1810 and 1812, shortly before the  
20 outbreak of the War of 1812, during which time many records were destroyed in the tumult of war; and

21 WHEREAS, there exists no record of ratification or rejection by the state of Virginia regarding the  
22 original 13th Amendment; nonetheless Virginia passed legislation to republish its civil code and the United  
23 States Constitution and its amendments on March 12, 1819; and

24 WHEREAS, Virginia's republication of the laws included the original 13th Amendment to the United  
25 States Constitution, thereby announcing its ratification of the amendment; and

26 WHEREAS, word of Virginia's ratification of the original 13th Amendment spread to various states and  
27 territories that also published the amendment and ordered copies of the United States Constitution with the  
28 original 13th Amendment for dissemination and use in schools; over a 41-year period, 11 different states and

1 territories printed the amendment in 20 separate publications; and

2 WHEREAS, publication is prima facie evidence of the ratification of the original 13th Amendment of the  
3 United States Constitution; and

4 WHEREAS, documents relating to the original 13th Amendment and states' ratification and  
5 consideration of the amendment are valuable artifacts of our state and country and should have a secure and  
6 central location accessible by all Montanans.

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8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF  
9 THE STATE OF MONTANA:

10 That the documents relating to the original 13th Amendment and states' ratification and consideration of  
11 the amendment are records of permanent value worthy of preservation.

12 BE IT FURTHER RESOLVED, that the Montana Historical Society should create a repository for the  
13 preservation of these records of permanent value concerning the original 13th Amendment.

14 BE IT FURTHER RESOLVED, that the Montana Secretary of State send a copy of this resolution to the  
15 Montana Historical Society and to each member of the Montana Congressional Delegation.

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