



10100SJ0026 Engrossed

LRB101 10261 JWD 55366 r

1 SENATE JOINT RESOLUTION NO. 26

2 (As Amended by Senate Amendment Nos. 1 & 2)

3 WHEREAS, On February 27, 1861, in an attempt to avert the  
4 secession of Southern states, United States Representative  
5 Thomas Corwin of Ohio proposed an amendment to the United  
6 States Constitution that would prohibit the United States  
7 Constitution from being amended in a manner that authorizes  
8 Congress to abolish or interfere with the states' domestic  
9 institutions, including slavery; and

10 WHEREAS, On March 2, 1861, the Corwin Amendment was  
11 approved by a joint resolution of the Thirty-Sixth United  
12 States Congress (12 Stat. 251) and was submitted to the states  
13 under Article V of the United States Constitution for  
14 ratification with no deadline given for completion of its  
15 ratification; and

16 WHEREAS, The Twenty-Third General Assembly of the State of  
17 Illinois ratified the Corwin Amendment in "An Act ratifying a  
18 certain amendment to the Constitution of the United States", in  
19 force June 2, 1863 (Public Laws 1863, p. 41); and

20 WHEREAS, The Corwin Amendment has not yet been ratified by  
21 three-fourths of the states and, therefore, is not part of the  
22 United States Constitution at this time; and

1       WHEREAS, It is still possible that a sufficient number of  
2 states could belatedly ratify the Corwin Amendment thereby  
3 adding it to the United States Constitution, as occurred with  
4 the 27th Amendment to the United States Constitution, which was  
5 first proposed in 1789 and was not ratified by a sufficient  
6 number of states until 1992; and

7       WHEREAS, With the end of the Civil War and the ratification  
8 of the actual 13th Amendment to the United States Constitution  
9 in 1865, the purposes of the Corwin Amendment have become moot;  
10 therefore, be it

11       RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL  
12 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES  
13 CONCURRING HEREIN, that the State of Illinois rescinds its 1863  
14 ratification of the following proposition, known as the Corwin  
15 Amendment to the United States Constitution:

16                                   "ARTICLE XIII.  
17 No amendment shall be made to the Constitution which will  
18 authorize or give to Congress the power to abolish or  
19 interfere, within any State, with the domestic institutions  
20 thereof, including that of persons held to labor or service by  
21 the laws of said State."; and be it further

1           RESOLVED, That certified copies of this resolution be  
2 forwarded to the Archivist of the United States, the President  
3 of the United States, the President and Secretary of the United  
4 States Senate, the Speaker and Clerk of the United States House  
5 of Representatives, and each member of the Illinois  
6 congressional delegation with the request that it be printed  
7 verbatim in the Congressional Record.