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LRB101 10261 JWD 58540 a

1                   AMENDMENT TO SENATE JOINT RESOLUTION 26

2           AMENDMENT NO. \_\_\_\_\_. Amend Senate Joint Resolution 26, AS  
3 AMENDED, with reference to the page and line numbers of Senate  
4 Amendment No. 1, by replacing from line 5 on page 1 through  
5 line 16 on page 3 with the following:

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

13           WHEREAS, On March 2, 1861, the Corwin Amendment was  
14 approved by a joint resolution of the Thirty-Sixth United  
15 States Congress (12 Stat. 251) and was submitted to the states  
16 under Article V of the United States Constitution for

1 ratification with no deadline given for completion of its  
2 ratification; and

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

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

10 WHEREAS, It is still possible that a sufficient number of  
11 states could belatedly ratify the Corwin Amendment thereby  
12 adding it to the United States Constitution, as occurred with  
13 the 27th Amendment to the United States Constitution, which was  
14 first proposed in 1789 and was not ratified by a sufficient  
15 number of states until 1992; and

16 WHEREAS, With the end of the Civil War and the ratification  
17 of the actual 13th Amendment to the United States Constitution  
18 in 1865, the purposes of the Corwin Amendment have become moot;  
19 therefore, be it

20 RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL  
21 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES

1 CONCURRING HEREIN, That the State of Illinois rescinds its 1863  
2 ratification of the following proposition, known as the Corwin  
3 Amendment to the United States Constitution:

4 "ARTICLE XIII.

5 No amendment shall be made to the Constitution which will  
6 authorize or give to Congress the power to abolish or  
7 interfere, within any State, with the domestic institutions  
8 thereof, including that of persons held to labor or service by  
9 the laws of said State."; and be it further

10 RESOLVED, That certified copies of this resolution be  
11 forwarded to the Archivist of the United States, the President  
12 of the United States, the President and Secretary of the United  
13 States Senate, the Speaker and Clerk of the United States House  
14 of Representatives, and each member of the Illinois  
15 congressional delegation with the request that it be printed  
16 verbatim in the Congressional Record."