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LRB102 17348 HEP 22839 r

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SENATE JOINT RESOLUTION

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

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

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

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WHEREAS, The Corwin Amendment has not yet been ratified by three-fourths of the states and, therefore, is not part of the 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
5 was 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
8 ratification of the actual 13th Amendment to the United States
9 Constitution in 1865, the purposes of the Corwin Amendment
10 have become moot; therefore, be it

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

17 "ARTICLE XIII.
18 No amendment shall be made to the Constitution which will
19 authorize or give to Congress the power to abolish or
20 interfere, within any State, with the domestic institutions
21 thereof, including that of persons held to labor or service by
22 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
4 United States Senate, the Speaker and Clerk of the United
5 States House of Representatives, and each member of the
6 Illinois congressional delegation with the request that it be
7 printed verbatim in the Congressional Record.