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LRB101 10261 JWD 57472 a

1 AMENDMENT TO SENATE JOINT RESOLUTION 26

2 AMENDMENT NO. _____. Amend Senate Joint Resolution 26 by
3 replacing from line 2 on page 1 through 19 on page 2 with the
4 following:

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

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

1 ratification; and

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

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

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

15 WHEREAS, With the end of the Civil War and the ratification
16 of the actual 13th Amendment to the United States Constitution
17 in 1965, the purposes of the Corwin Amendment have become moot;
18 therefore, be it

19 RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL
20 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
21 CONCURRING HEREIN, That the State of Illinois rescinds its 1863

1 ratification of the following proposition, known as the Corwin
2 Amendment to the United States Constitution:

3 "ARTICLE XIII.

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

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