



JOINT RESOLUTIONS

RELATIVE TO THE PROPOSED AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

Whereas in accordance with the provisions of the fifth article of the Constitution of the United States, the Senate and House of Representatives of the United States in Congress assembled, by a resolution passed at the first session of the Thirty-Ninth Congress, begun and held on the first Monday of December, A. D. 1865, have proposed a certain article of amendment to the said Constitution for the consideration of the Legislatures of the several States, which said proposed article of amendment is in the following words and figures to wit:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States; or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States or under any State who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be illegal and void.

SECTION 5. Congress shall have power to enforce by appropriate legislation the provisions of this article."

And Whereas the Governor of this State has submitted the said proposed amendment to this General Assembly;

And Whereas this General Assembly believes that the adoption of the said proposed amendment to the Constitution would be a breach of faith implied between the States at the time of the ratification of the Constitution, would deprive one section of this country of rights and privileges which have been guaranteed to them by the Constitution, would foster and excite bitter and unkindly relations between the citizens of different sections of the country, would delay, if not altogether prevent, a restoration of a perfect union between the States, and would be destructive of the ends and purposes intended to be secured by the adoption of the Constitution, Therefore,

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the members of this General Assembly hereby declare their unqualified disapproval of said proposed amendment to the Constitution of the United States, and hereby refuse to adopt and ratify the same.

Resolved further, That a duly authenticated copy of the foregoing preamble and resolution be transmitted by the Secretary of State of this State to the Secretary of State of the United States.

WILLIAM A. POLK,
Speaker of the House of Representatives.
JAMES PONDER,
Speaker of the Senate.

Adopted at Dover, February 7, 1867.

Domestic Letters, Volume 76, page 115.

Department of State,

Washington May 4, 1867.

Curtis W. Wright, Esquire,

Secretary of State of Delaware. Dover.

Sir:

I have received your letter of the 2^d instant, transmitting a certified copy of Resolutions of the General Assembly of the State of Delaware, which express the refusal of that body to ratify an amendment recently proposed to be made to the Constitution of the United States. The letter and its enclosure have been placed on file in this Department.

I am, Sir,

Your obedient servant,

William H. Seward.