

Executive.

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Case of Hayes D D  
Gov. Ohio.

Transmit Resolution  
withdrawing assent of State  
of Ohio ~~from~~ <sup>to</sup> the proposed 14<sup>th</sup>  
Constitutional Amendment

Respectfully referred to the Hon.  
the Secretary of State

By order of the President,

*W. M. W.*

Secretary.

Relating to withdrawing the assent of the State of Ohio from the proposed XIV constitutional amendment.

Rescinding resolution passed January 11, A. D. 1867, relative to amending the constitution of the United States, and withdrawing the assent of the State of Ohio to the proposed XIV constitutional amendment.

WHEREAS, On the 11th day of January, A. D. 1867, the following joint resolution was adopted by the General Assembly of the State of Ohio, to wit:

"WHEREAS, The General Assembly has received official notification of the passage by both Houses of the thirty-ninth Congress of the United States, at its first session, of the following proposition to amend the constitution of the United States, by a constitutional majority of two-thirds thereof, in the words following, to wit:

*Joint Resolution proposing an amendment to the constitution of the United States.*

"That the following article be proposed by the legislatures of the several states, as an amendment to the constitution of the United States, which, when ratified by three fourths of said legislatures, shall be valid as a part of the constitution, namely:

ARTICLE XIV.

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 or 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 the 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 held illegal and void.

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

"AND, WHEREAS, Three-fourths of the legislatures of the states comprising the United States are required to give assent to the said proposed amendment to the constitution of the United States, before it becomes a part thereof; therefore,

"Resolved, by the General Assembly of the State of Ohio, That we hereby ratify, on behalf of the state of Ohio, the above recited proposed amendment to the constitution of the United States.

"Resolved, That certified copies of the foregoing preamble and resolution be forwarded, by the Governor of Ohio, to the President of the United States, to the presiding officer of the United States Senate, and the Speaker of the United States House of Representatives."

AND, WHEREAS, No amendment to the constitution of the United States is valid until duly ratified by three-fourths of all the states composing the United States, and until such ratification is completed, any state has a right to withdraw her assent to any proposed amendment:

AND, WHEREAS, Several distinct propositions are combined in the said proposed amendment, several of which are already fully provided for in the constitution of the United States, and to which no person or party objects; therefore, be it

Resolved, by the General Assembly of the State of Ohio, That the above recited resolution be, and the same is hereby rescinded, and the ratification, on behalf of the state of Ohio, of the above recited proposed amendment to the constitution of the United States, is hereby withdrawn and refused.

Resolved, That copies of the foregoing preamble and resolutions, certified to by the Speaker of the House of Representatives and the President of the Senate, be forwarded to the President of the United States, to each of our Senators and Representatives in Congress, and to each of the Governors of the respective states.

Resolved, That the President of the United States be respectfully requested to cause to be forwarded to the Governor of Ohio any and all papers on file in the Executive Department at Washington, certifying the ratification by the General Assembly of Ohio of said proposed constitutional amendment, and that the presiding officer of the United States Senate, and the Speaker of the United States House of Representatives, be requested to return to the same officer any certificate that may have been filed with them, or either of them, on the subject of said ratification.

*John F. Hallitt*  
Speaker of the House of Representatives.

*W. Allen*  
President of the Senate.

JANUARY 15, A. D. 1868.

United States of America, Ohio, )  
SECRETARY OF STATE'S OFFICE. )

I, **JOHN: RUSSELL**, Secretary of State of the State of Ohio, do hereby certify that the annexed is a true copy of a Joint Resolution of the General Assembly of the State of Ohio, "Relating to withdrawing the assent of the State of Ohio, from the Proposed XIV Constitutional Amendment," adopted January 15th, 1868, as taken from the original rolls on file in this office.

In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of this office, at Columbus, the 22d day of January, A. D. 1868.

*John Russell*  
Secretary of State

**STATE OF OHIO,**

**Executive Department,**

Columbus, January , 1868.

Sir:

I have the honor to transmit herewith Joint Resolution "Relating to withdrawing the assent of the State of Ohio, from the proposed XIV Constitutional Amendment, adopted by the General Assembly of Ohio, January 15, 1868.

Very respectfully,

R. B. Hayes  
Governor.

His Excellency  
Andrew Johnson  
President of the United States  
Washington  
D.C.