

Duplicate

Thirty-eighth Congress of the United States.

A Resolution: Submitting to the legislatures of the several states a proposition to amend the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of both houses concurring) That the following article be proposed to 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, to all intents and purposes, as a part of the said Constitution, namely:

ARTICLE XIII.

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Attest:

J. W. Forney

Secretary of the Senate

Wm. H. Seward

Clerk of the House of Representatives.

Speaker of the House of Representatives

W. H. Seward

Vice President of the United States

and President of the Senate.

Approved, February 1, 1865 - Abraham Lincoln

In the Senate, April 8, 1864.

James D. Dix	Sam C. Clark	E. P. Morgan	W. P. Fessenden	John D. Hale
John Conness	J. M. Howard	W. S. Weld	S. C. Pomeroy	L. T. S. Foster
Abel Randa	Charles Sumner	H. Harris	Henry Wilson	W. W. Brewster
Wm. Gratiot	Reuben Truman	Edgar Cowan	H. S. Lane	Lyman Trumbull
Z. M. Wood	P. G. T. Beauregard	Solomon Foot	J. B. Henderson	J. Collier
C. P. Thaddeus	John Sherman	R. B. Butler	Gas. Harlan	Wm. G. Brown
W. T. Wilkinson	W. H. Seward	James A. Garfield	Harding	M. Doolittle
Dr. G. F. French	W. P. Fessenden	Wm. H. Brown		W. F. Waite

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In the House of Representatives, January 31, 1865.

Thomas D. Bibb, Miss.	Ted A. P. of Maine	Theodore W. Parsons, N.Y.	P. B. Wadsworth
John A. Watson	H. W. Tracy	W. M. McDowell	W. B. Allison
H. Miller, N.Y.	W. L. West, Miss.	Benjamin F. Loam, Ills.	W. M.endall
J. W. W. Burz	Levi Parsons	Sebastian H. Raymond	James L. Wilson
Wm. & Merrill	J. A. Collins	W. Parker Mayn	J. P. Driggs
John R. M. Briggs	John A. Dixwell	Frederick Donnelly	Optimus Hubbard
Ales. N. Rice	Augustus Brundage	Henry A. May	J. C. Clarke
Wm. Thurston, Minn.	W. H. High	Giles J. McCallum	J. D. Brown
Henry G. Washington, N. Y.	J. C. C. C. C.	Samuel Tracy	John D. Baldwin
Rep. Williams, Penn.	J. T. B. Chapman	W. H. Muller	J. Morris, N.Y.
Godlove & Orth, Md.	Rufus P. Spaulding	W. M. Atkinson	John H. Hubbard
C. R. Becker	W. F. Hutchinson, Ohio	Aug. W. Baldwin	Spec. T. T. Brown
Justin A. Ring	R. C. L. H. H.	H. A. Nelson	Sidney Perham
W. H. Hamill, Ky.	R. C. L. H. H.	H. Price	J. H. Davies
W. H. Goodell	W. B. Smith	Calvin Stoddard	A. W. Wallister
J. C. Sloan	W. C. W. Smith	Wm. G. Brown	J. P. Patterson, N.Y.
A. Myrus, Pa.	F. C. Thomas	El. Ingersoll	Isaac W. Arnold
J. W. Scott, Pa.	Alfred W. Moore, N.C.	Amos Herick	James E. English
W. H. Coffey, Pa.	W. C. Thomas	Oakes Ames, Mass.	Nathan F. Dixon, N.Y.
J. F. Fairbank, Ill.	J. H. Kelley	J. James Anthony, Ohio	James S. Rollins, Miss.
Yellowhead, Pa.	Chas. C. Matheny, W.	Jacob B. Moore	Luc Anderson, N.Y.
George Spearman	George Schenk	Joseph Mailly	John S. Steele
J. H. Jayne, Ill.	Wm. Wheeler	Wm. J. Allis	Edwin H. Webster
W. T. J. Greenwell	A. H. Coopworth	C. C. Johnson	W. Kline

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Thirteenth Amendment signed by Abraham Lincoln, Congressional Copy
At the National Constitution Center, on loan from anonymous lender.

Congressional Copy of the Thirteenth Amendment

Discussion Questions

Background

In less than 50 words the Thirteenth Amendment marked a radical change in the course of American constitutional history, undoing the contradiction of America's founding: that slavery could not exist in a nation dedicated to liberty and equality.

The Thirteenth Amendment to the Constitution abolished slavery in the United States. It was adopted on December 6, 1865, when Georgia became the twenty-seventh state to ratify the amendment, giving it the constitutionally required support of three-fourths of the states. There had been unsuccessful attempts to pass an abolition amendment in Congress before 1865. Representative James Ashley introduced an abolition amendment in 1863. In April 1864 the Senate passed the Thirteenth Amendment, but opposition from Democratic representatives prevented it from receiving the required two-thirds majority in the House. Only after Abraham Lincoln was re-elected in 1864 did Congress approve the amendment.

When he first became president, Lincoln supported a Thirteenth Amendment that would have protected slavery in the states where it existed, but over the course of the Civil War his thinking changed and he became committed to immediate abolition. After signing the Emancipation Proclamation on January 1, 1863, Lincoln championed a Thirteenth Amendment to abolish slavery permanently in the United States. The Emancipation Proclamation freed only those slaves in states still at war. As a wartime order, it could subsequently be reversed by presidential decree or congressional legislation. Ending slavery forever required a constitutional amendment, and securing its passage became Lincoln's highest legislative priority. President Lincoln's battle to pass the Thirteenth Amendment continued until the final hours before Congress was to vote on January 31. At the announcement of the Amendment's passage, crowds cheered in the congressional galleries. These crowds included African Americans who, until 1864, were barred from the Capitol galleries. Now, according to the Constitution, the amendment needed to be ratified by three-fourths of the state legislatures before it could officially become part of the Constitution. Within days, several states ratified the amendment and by December it was officially written into the Constitution. President Lincoln did not live to see that day. He was assassinated before official confirmation of the amendment's passage. On December 18, 1865, when the amendment officially went into effect, it freed almost one million slaves.

About This Document

This copy of the Thirteen Amendment is one of six known handwritten, "Congressional" copies of the Thirteenth Amendment to be signed by President Lincoln. In all, President Lincoln is believed to have signed 14 copies of the Amendment. This particular copy also carries the signatures of Vice President Hamlin, 37 of the 38 Senators and 114 of the 119 Representatives who eventually voted for it. Lincoln signed 14 copies as a symbol of his enthusiasm and support for the resolution. Soon after, the Senate declared Lincoln's signature "unnecessary," rebuking him on the grounds that the president has no constitutional role in proposing or passing constitutional amendments. Article V of the Constitution clearly states that the amendment process belongs jointly to the Congress and the state legislatures. A president lacks the power to propose, vote for, or veto an amendment to the Constitution, which is part of the balance of power established by the Constitution.

Discussion Questions

- 1) Whose signatures are on this document?
- 2) Why did Congress tell President Lincoln that he was not allowed to sign the official copy of the Thirteenth Amendment?
- 3) Why do you think there were so many copies of the Thirteenth Amendment made?
- 4) After signing this draft of the Thirteenth Amendment, Congressman George W. Julian went home and wrote in his diary, "I have felt, ever since the vote, as if I were in a new country." How do you think this Amendment affected Americans immediately? How did it impact future generations?
- 5) The Thirteenth Amendment was the first of the three "Reconstruction" amendments. What were the other two? What did they do?