

THIRTEENTH AMENDMENT

Text

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.

Motivation

- Lincoln feared the Emancipation Proclamation would be regarded as a military – and therefore temporary – measure.
- Only a Constitutional amendment would guarantee the abolition of slavery in the United States.

Congressional History

- With the exception of a proposal to ban slavery made by John Quincy Adams in 1839, all Congressional legislation related to slavery had been aimed at protecting the institution.
- Ohio Representative James Mitchell Ashley and Iowa Representative James Falconer Wilson proposed Constitutional amendments to end slavery in 1863.
- Missouri Senator John Brooks Henderson proposed a joint resolution of both houses of Congress to end slavery early in 1864. (While most anti-slavery discussion and proposals had come from Republicans, Henderson was – notably – a War Democrat.)
- Massachusetts Senator Charles Sumner proposed an amendment to end slavery and guarantee racial equality on February 8, 1864.
- The Senate Judiciary Committee brought forth an amalgamation of the Ashley, Wilson, and Henderson amendments.
- The final version of the Thirteenth Amendment was co-authored by Ashley, Falconer, Wilson and Missouri Senator John B. Henderson.
- The Senate passed the amendment on April 8, 1864.
- The House of Representatives initially rejected the amendment but passed it on January 31, 1865 after President Lincoln made it an official plank in the Republican platform in the Presidential race of 1864.
- President Lincoln signed the joint resolution on February 1, 1865, and passed it along to the states for ratification. (Ratification required a three-fourths majority or 27 of 35 states.)
- Secretary of State Seward announced the official ratification on December 18, 1865.

History of Ratification

State	Date	State	Date
Illinois	February 1, 1865	Connecticut	May 4, 1865
Rhode Island	February 2, 1865	New Hampshire	July 1, 1865
Michigan	February 2, 1865	South Carolina	November 13, 1865
Maryland	February 3, 1865	Alabama	December 2, 1865
New York	February 3, 1865	North Carolina	December 4, 1865
Pennsylvania	February 3, 1865	Georgia	December 6, 1865
West Virginia	February 3, 1865		
Missouri	February 6, 1865	Ratification was complete when 27 of 36 states ratified to achieve the ¾ needed.	
Maine	February 7, 1865	Oregon	December 8, 1865
Kansas	February 7, 1865	California	December 19, 1865
Massachusetts	February 7, 1865	Florida	December 28, 1865
Virginia	February 9, 1865	Iowa	January 15, 1866
Ohio	February 10, 1865	New Jersey	January 23, 1866
Indiana	February 13, 1865	New Jersey had rejected on March 16, 1865	
Nevada	February 16, 1865	Texas	February 18, 1862
Louisiana	February 17, 1865	Delaware	February 12, 1901
Minnesota	February 23, 1865	Delaware had rejected on February 8, 1865	
Wisconsin	February 24, 1865	Kentucky	March 18, 1976
Vermont	March 9, 1865	Kentucky had rejected on March 16, 1865	
Tennessee	April 7, 1865	Mississippi	March 16, 1995
Arkansas	April 14, 1865	Mississippi had rejected on December 5, 1865	

Note that the states that ratified after the three-fourths majority was reached included three former states of the Confederacy (Florida, Texas, and Mississippi) and two former slave-holding states that remained in the Union (Delaware and Kentucky).