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IN THE SENATE OF THE UNITED STATES.

JANUARY 14, 1861.

Mr. BIGLER asked, and by unanimous consent obtained, leave to bring in the following bill; which was read the first and second times, and ordered to be printed.

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**A BILL**

To provide for taking the sense of the people of the several States on certain proposed amendments to the Constitution of the United States.

Whereas the Union is in imminent danger of final dissolution, the consequence of a protracted strife and agitation about the institution of African slavery; and whereas it is believed that legislative remedies are insufficient to meet and remove the cause of this impending disaster; and as amendments to the Constitution can only be submitted by a vote of two thirds of both Houses of Congress, and owing to the unhappy divisions existing in those houses at present it is not believed that the assent of two thirds of the members of either can be had to such amendments to the Constitution as would reconcile the differences between the North and the South; and whereas it is a cardinal principle of our representative system that the representative shall obey the will of the people, it is deemed proper and necessary to ask the opinion and judgment of the people

of the several States on proposed amendments to the Constitution, with the view to their submission by a vote of two thirds of each branch of Congress for the ratification of the States, as provided in the Constitution, thereby restoring our distracted country to its accustomed peace and prosperity: Therefore,

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*  
 3       That the citizens of the several States qualified to vote for  
 4       members of Congress are hereby requested to hold an elec-  
 5       tion on Tuesday, the twelfth day of February next, for the  
 6       purpose of deciding for or against the annexed proposed  
 7       amendments to the Constitution of the United States.

1       SEC. 2. *And be it further enacted,* That those who are  
 2       for the proposed amendments to the Constitution shall vote  
 3       a ballot bearing the words "for the amendments," and those  
 4       opposed to the amendments shall vote a ballot bearing the  
 5       words "against the amendments."

1       SEC. 3. *And be it further enacted,* Said election shall be  
 2       held at the same places, in the same manner, and under the  
 3       same laws as the last election for President and Vice Presi-  
 4       dent of the United States, and be conducted by the same  
 5       judges, inspectors, and other officers.

1       SEC. 4. *And be it further enacted,* The return judges of  
 2       the several election districts for each county shall meet at  
 3       the county seat on the Thursday following the day of the

4 said election, and count up the returns for said county, set-  
5 ting forth the whole number of votes cast for the amend-  
6 ments, and the whole number of votes against the amend-  
7 ments; one copy of which shall be forwarded by mail to the  
8 Secretary of the Senate of the United States, and another  
9 to the Governor of the State, and that sent to the governor  
10 shall contain a statement of the actual and necessary ex-  
11 penses of holding said election.

1       SEC. 5. *And be it further enacted,* That the compensa-  
2 tion of the officers holding said election, and the other  
3 expenses thereof, shall be the same as the compensation  
4 and expenses of holding the last election for President and  
5 Vice President of the United States, and shall be paid out  
6 of the United States Treasury in the manner hereinafter  
7 provided.

1       SEC. 6. *And be it further enacted,* That the governors  
2 of the several States are hereby respectfully requested to  
3 cause to be made out, and forwarded to the Secretary of the  
4 Interior, a tabular statement of the amount of the expenses  
5 of holding said election in their respective States, exhibit-  
6 ing the amount due each county, attested under the seal  
7 of the State by the proper officers; and the Secretary of  
8 the Interior shall draw drafts on the United States Treasury  
9 in favor of the governors of the respective States for the  
10 amounts due to the several counties, to be paid to the

11 parties in each county entitled to receive the same; and  
12 the Secretary of the Treasury is hereby authorized and  
13 required to pay the amount of said drafts out of any money  
14 in the Treasury.

1       SEC. 7. *And be it further enacted,* That it shall be the  
2 duty of the Secretary of the Senate to cause said election  
3 returns to be opened, counted, and filed as fast as received,  
4 and cause tabular statements to be made exhibiting the  
5 result in each State, one copy of which shall be delivered  
6 to the President of the Senate for the use of that body  
7 another to the Speaker of the House of Representatives for  
8 the use of that body; and it is hereby made the duty of  
9 each and all the clerks now in the employment of the Sen-  
10 ate, in addition to their other duties, to assist the Secretary  
11 in the performance of the duties hereby imposed upon him.

1       SEC. 8. *And be it further enacted,* That the President  
2 of the United States is hereby authorized to issue a procla-  
3 mation to the governors, and all others in civil authority,  
4 and to the people of the several States, announcing to them  
5 the day fixed for said election, presenting its general objects,  
6 and requesting their cordial co-operation in the prompt  
7 and faithful execution of the provisions of this act.

1       SEC. 9. *And be it further enacted,* That it shall be the  
2 duty of the Secretary of the Interior, immediately after the  
3 passage of this act, to cause accurate copies of the same to

4 be printed and forwarded by mail to the sheriff of the sev-  
5 eral counties of each State, and the said sheriffs are hereby  
6 requested to make proclamation, in not more than two  
7 newspapers in each county, of the day of said election, and  
8 setting forth the proposed amendments to be voted on, and  
9 the expenses incurred under the provisions of this section  
10 shall be paid as hereinafter provided for other expenses of  
11 said election.

12 That the following articles be, and they are hereby,  
13 proposed and submitted as amendments to the Constitution  
14 of the United States, which shall be valid, to all intents and  
15 purposes, as part of said Constitution, when ratified by the  
16 conventions of three fourths of the States held for that  
17 purpose.

18 ARTICLE 1. That the territory now held, or that may  
19 hereafter be acquired, by the United States shall be divided  
20 by a line from east to west on the parallel of thirty-six  
21 degrees thirty minutes north latitude.

22 ARTICLE 2. That in all the territory north of said line  
23 of latitude, involuntary servitude, except as a punishment  
24 for crime, is prohibited, and in all the territory south of  
25 said line involuntary servitude, as it now exists in the  
26 States south of Mason and Dixon's line, is hereby recog-  
27 nized, and shall be sustained and protected by all the  
28 departments of the territorial governments; and when any

29 Territory north or south of said line, within such bounda-  
30 ries as Congress may prescribe, shall contain the popula-  
31 tion requisite for a member of Congress, according to the  
32 then federal ratio of representation of the people of the  
33 United States, it shall then be the duty of Congress to  
34 admit such Territory into the Union on terms of equality  
35 with the original States.

36 ARTICLE 3. Congress shall not have power to abolish  
37 slavery in the places under its exclusive jurisdiction and  
38 situate within the limits of States that permit the holding  
39 of slaves, nor shall Congress have the power to abolish  
40 slavery in the District of Columbia so long as it exists in  
41 the States of Maryland and Virginia, or either of them, nor  
42 without just compensation being first made to the owners  
43 of such slaves.

44 ARTICLE 4. That, in addition to the provisions of the  
45 third paragraph of the second section of the fourth article  
46 of the Constitution of the United States, Congress shall  
47 have power to provide by law, and it shall be its duty  
48 so to provide, that the United States shall pay to the owner  
49 who shall apply for it, the full value of his fugitive slave,  
50 in all cases, when the marshal, or other officer, whose duty  
51 it was to arrest said fugitive, was prevented from so doing  
52 by violence or intimidation, or when, after arrest, said fugi-  
53 tive was rescued by force, and the owner thereby prevented

54 and obstructed in the pursuit of his remedy for the re-  
55 covery of his fugitive slave, under the said clause of the  
56 Constitution and the laws made in pursuance thereof;  
57 and in all such cases, when the United States shall pay  
58 for such fugitive, they shall have the right, in their own  
59 name, to sue the county in which said violence, intima-  
60 tion, or rescue was committed, and to recover from it, with  
61 interest and damages, the amount paid by them for said  
62 fugitive slave; and the said county, after it has paid said  
63 amount to the United States, may, for its indemnity, sue  
64 and recover from the wrong-doers, or rescuers, by whom  
65 the owner was prevented from the recovery of his fugitive  
66 slave, in like manner as the owner himself might have sued  
67 and recovered.

68       ARTICLE 5. Congress shall have no power to prohibit  
69 or hinder the transportation of slaves from one State to  
70 another, or to a Territory in which slaves are by law per-  
71 mitted to be held, whether transportation be by land,  
72 navigable rivers, or by sea; but the African slave trade shall  
73 never be revived, except by the unanimous consent of both  
74 branches of Congress.

75       ARTICLE 6. Hereafter the President of the United States  
76 shall hold his office during the term of six years, and shall  
77 not be eligible to re-election.

78       ARTICLE 7. The Constitution shall not be hereafter

79 amended so as to destroy the effect of the third paragraph  
 80 of the second section of the first article of the Constitution,  
 81 nor the third paragraph of the section of the fourth article  
 82 of the Constitution, nor so as to authorize Congress to inter-  
 83 fere with or destroy any of the domestic institutions of the  
 84 States, without the consent of all the States.

30TH CONGRESS,  
 2D SESSION.

S. 537.

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