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Two Drafts of the Articles of Confederation

Final Draft

<https://usconstitution.net/articles.html#Conc>

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Draft of the Articles of Confederation by John Dickinson, June 1776

<http://digitalhistory.hsp.org/pafm/doc/draft-articles-confederation-john-dickinson-june-1776>

Articles	Draft of the Articles
SECTION ONE	
<p style="text-align: center;">Article II</p> <p>Each state retains its sovereignty, freedom, and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.</p> <p style="text-align: center;">Article III</p> <p>The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.</p>	<p style="text-align: center;">Art[icle]. [2?]</p> <p>The said Colonies unite themselves so as never to be divided by any Act whatever, and hereby severally enter into a firm League of Friendship with each other; for their Common Defense, the Security of their Liberties, and their mutual & general Welfare, binding the said Colonies, to assist one another against all Force offered to or Attacks made upon them or any of them, on Account of Religion, Sovereignty, Trade, or any other Pretense whatever</p> <p style="text-align: center;">Art[icle].2</p> <p>Each Colony shall retain and enjoy as much of its present Laws Rights & Custom, as it may think fit, and reserves to itself the sole and exclusive regulation and Government of its internal Police, in all Matters that shall not interfere with the Articles of this Confederation</p>

SECTION TWO	
<p style="text-align: center;">Article IV.</p> <p>The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states;</p> <p>and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties impositions and restrictions as the inhabitants thereof respectively,</p>	<p style="text-align: center;">Article IV</p> <p style="text-align: center;">Art[icle].</p> <p>The Inhabitants of each Colony shall henceforth always have the same Rights Privileges and Advantages in all Cas[es?] whatever in the other Colonies, which they now have.</p> <p style="text-align: center;">Art[icle].</p> <p>The Inhabitants of all the united Colonies shall enjoy all the Rights Liberties Priviledges Exemptions & Immunities in Trade Navigation & Commerce in every Colony, and in going to & from the same, which the Natives of such Colony enjoy—</p>
SECTION THREE	
<p style="text-align: center;">Article VI.</p> <p>No State, without the consent of the united States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King, Prince or State; nor shall any person holding any office of profit or trust under the united States, or any of them, accept any present, emolument, office or title of any kind whatever from any King, Prince or foreign State; nor shall the United States in congress assembled, or any of them, grant any title of nobility.</p> <p>No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the united States in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.</p>	<p style="text-align: center;">Art[icle]</p> <p>No Colony or Number of Colonies without the Consent of the Union shall send any Embassy to or receive any Embassy from, or enter into any Treaty Convention or Conference with, the King or Kingdom of Great Britain, or any Foreign Prince or State; nor shall any Colony or Colonies, nor any Servant or Servants of any Colony or Colonies, accept of any Present, Emolument, Office or Title of any kind whatever, from the King or Kingdom of G[reat] B[ritain] or any foreign Prince or State, Nor shall the Union or any Colony grant any Title of Nobility to any person whatsoever</p> <p style="text-align: center;">Art[icle].</p> <p>No two or more Colonies shall enter into any Treaty, Confederation, or Alliance whatever between them without the previous and free Consent & Allowance of the Union Article, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue—</p>

SECTION FOUR

No vessel of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the united States in congress assembled, for the defense of such State, or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only, as in the judgement of the united States, in congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

Art[icle].

No Army or Body of Forces shall be kept up by any Colony or Colonies, in Time of Peace, of the **except (see margin X) X except such a Number only as may be requisite to garrison the Forts necessary for the Defence of such Colony or Colonies; but every Colony shall always keep up a well regulated & disciplined Militia sufficiently armed and accoutred; shall and shall provide and constantly have ready for Use a proper Quantity of public Stores of Ammunition, Field pieces, Tents, and other Camp Equipage.**

SECTION FIVE

No State shall engage in any war without the consent of the united States in congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the united States in congress assembled can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united States in congress assembled, and then only against the kingdom or State and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united States in congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united States in congress assembled shall determine otherwise.

Q[uære]. How far the Expende of any War is to be defrayed by the Union?

Art[icle].

No Colony or Colonies shall engage in any War, without the Consent of the Union, unless such Colony or Colonies be actually invaded by **Enemies**, or shall have received certain Advice of a Resolution being formed by **some Nation of Indians** to invade such Colony or Colonies, and the Danger is so imminent as not to admit of a Delay, till the other Colonies can be consulted

Q[uære]. How far any Col[ony] may interfere in Indian Affairs?

SECTION SIX	
<p>Article VIII.</p> <p>All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the united States in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all land within each State, granted or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the united States in congress assembled, shall from time to time direct and appoint.</p>	<p>Art[icle].</p> <p>All Charges of Wars and all other Expences that shall be incurr'd for the general Welfare and allowed by the Union in General Congress, shall be defrayed out of a Common Treasury, which shall be supplied by the several Colonies in proportion to the Number of in each Colony, a true Account of which shall be triennially taken and transmitted to Congress— The Taxes for paying that Proportion shall be laid and levied by the Authority & Direction of the Legislature of the respective Colonies. Q[uaere]. The propriety of raising Troops in each Colony in due proportion to its share of Taxes, and the Number of Troops to be raised, and allowing Colonies to raise & pay Troops in Lieu of Taxes?</p>
SECTION SEVEN	
<p>Article IX.</p> <p>The united States in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article — of sending and receiving ambassadors — entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever — of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated — of granting letters of marque and reprisal in times of peace — appointing courts for the trial of piracies and</p>	<p>The Congress shall have the sole and exclusive Power & Right of determining on War, (except in the Cases mentioned in the Article—see pa[ge] 5. & first Art[icle] in this Copy) and Peace; establishing Rules for deciding (see margin 6 = what Captures by Land or Water shall be legal and in what Manner Prizes shall be divided & appropriated; granting Commissions to the Commanders of Ships or Vessels of War, & Letters of Marque and Reprisal; establishing & regulating Courts for the Trial of all Crimes Frauds & piracies committed on the high Seas; & or receiving & £ determining finally Appeals in all maritime Causes; sending and receiving Embassadors under any Character; entring into Treaties & Alliances; settling all Disputes and Differences now subsisting [?] or that hereafter may arise between two or more Colonies concerning Boundaries, Jurisdictions, or any other Cause whatever; *</p>

<p>felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.</p>	<p>* establishing a Sameness of Weights & Measures throughout all the united Colonies; coining Money and regulating the Value thereof; of emitting paper Money or Bills of Credit? superintending all Indian Affairs; & regulating all Trade with those Nations; assigning Territories for new Colonies either in Lands to be separated from Colonies the words of whose Charters extend to the South Sea, or from the Colony of New York, or Lands heretofore purchased by the Crown, hereafter to be purchased from the Indians; & selling all such Lands for the general Benefit and Advantage of all the united Colonies; ascertaining convenient and moderate Boundaries to such new Colonies; and giving proper Forms of Government to the Inhabitants within them upon the Principles of Liberty; and establishing and regulating Post-Offices; throughout all the united Colonies.</p>
<p>SECTION EIGHT</p>	
<p>The united States in congress assembled shall never engage in a war, nor grant letters of marque or reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the united States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of the majority of the united States in congress assembled.</p>	<p>Q[uære]. If Congress may be allowed to impose any Duties for the Regulation of Trade or raising a Revenue for the general Benefit, provided they are equal & common to all the Colonies? But the Congress shall never impose or levy any Taxes or Duties, except in managing the Post Offices, nor interfere in the internal Police of any Colony or Colonies, any farther than such Police may be affected by this Confederation; Q[uære]. If this part ought not to be transpos'd towards the End? nor shall any Alteration be at any Time hereafter made in the Terms of this Confederation or any of them, unless such Alteration be agreed to in an Assembly of the United States be afterwards confirmed by the Legislat[ure?] of every Colony. The United States assembled sha[ll] never engage the united Colonies in a War, nor conclude any Alliance or Treaty, with any other Power, nor raise naval Forces, nor form a Resolution to raise land Forces, nor agree upon the coining Money & or regulating the Value thereof, or the emitting Bills or borrowing Money on the</p>

Credit of the United Colonies, unless the Delegates of nine Colonies freely assent to the same— Establishing a sameness of Weights & Measures. of a treaty of Peace. In what other Cases, such Assent should be required? No Question on any other Point except for Adjourning, shall be determined unless the Delegates of seven Colonies vote in the Affirmative