

# **The Articles of Confederation**

*November 15, 1777*

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting.

Articles of Confederation and perpetual Union between the states of New Hampshire, Massachusetts-bay Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

I. The Stile of this Confederacy shall be “The United States of America”.

II. 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.

III. 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.

IV. 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; and the people of each State shall 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, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with, treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the Governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense.

Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

V. For the most convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislatures of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to

1 each State to recall its delegates, or any of them, at any time within the year, and to send  
2 others in their stead for the remainder of the year.

3 No State shall be represented in Congress by less than two, nor more than seven members;  
4 and no person shall be capable of being a delegate for more than three years in any term of  
5 six years; nor shall any person, being a delegate, be capable of holding any office under the  
6 United States, for which he, or another for his benefit, receives any salary, fees or  
7 emolument of any kind.

8 Each State shall maintain its own delegates in a meeting of the States, and while they act as  
9 members of the committee of the States.

10 In determining questions in the United States in Congress assembled, each State shall have  
11 one vote.

12 Freedom of speech and debate in Congress shall not be impeached or questioned in any  
13 court or place out of Congress, and the members of Congress shall be protected in their  
14 persons from arrests or imprisonments, during the time of their going to and from, and  
15 attendance on Congress, except for treason, felony, or breach of the peace.

16 VI. No State, without the consent of the United States in Congress assembled, shall send any  
17 embassy to, or receive any embassy from, or enter into any conference, agreement, alliance  
18 or treaty with any King, Prince or State; nor shall any person holding any office of profit or  
19 trust under the United States, or any of them, accept any present, emolument, office or title  
20 of any kind whatever from any King, Prince or foreign State; nor shall the United States in  
21 Congress assembled, or any of them, grant any title of nobility.

22 No two or more States shall enter into any treaty, confederation or alliance whatever  
23 between them, without the consent of the United States in Congress assembled, specifying  
24 accurately the purposes for which the same is to be entered into, and how long it shall  
25 continue.

26 No State shall lay any imposts or duties, which may interfere with any stipulations in  
27 treaties, entered into by the United States in Congress assembled, with any King, Prince or  
28 State, in pursuance of any treaties already proposed by Congress, to the courts of France  
29 and Spain.

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

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

13 VII. When land forces are raised by any State for the common defense, all officers of or under  
14 the rank of colonel, shall be appointed by the legislature of each State respectively, by  
15 whom such forces shall be raised, or in such manner as such State shall direct, and all  
16 vacancies shall be filled up by the State which first made the appointment.

17 VIII. All charges of war, and all other expenses that shall be incurred for the common defense or  
18 general welfare, and allowed by the United States in Congress assembled, shall be defrayed  
19 out of a common treasury, which shall be supplied by the several States in proportion to the  
20 value of all land within each State, granted or surveyed for any person, as such land and the  
21 buildings and improvements thereon shall be estimated according to such mode as the  
22 United States in Congress assembled, shall from time to time direct and appoint.

23 The taxes for paying that proportion shall be laid and levied by the authority and direction  
24 of the legislatures of the several States within the time agreed upon by the United States in  
25 Congress assembled.

26 IX. The United States in Congress assembled, shall have the sole and exclusive right and power  
27 of determining on peace and war, except in the cases mentioned in the sixth article — of  
28 sending and receiving ambassadors — entering into treaties and alliances, provided that no  
29 treaty of commerce shall be made whereby the legislative power of the respective States  
30 shall be restrained from imposing such imposts and duties on foreigners, as their own  
31 people are subjected to, or from prohibiting the exportation or importation of any species of  
32 goods or commodities whatsoever — of establishing rules for deciding in all cases, what  
33 captures on land or water shall be legal, and in what manner prizes taken by land or naval  
34 forces in the service of the United States shall be divided or appropriated — of granting  
35 letters of marque and reprisal in times of peace — appointing courts for the trial of piracies  
36 and felonies committed on the high seas and establishing courts for receiving and  
37 determining finally appeals in all cases of captures, provided that no member of Congress  
38 shall be appointed a judge of any of the said courts.

39 The United States in Congress assembled shall also be the last resort on appeal in all  
40 disputes and differences now subsisting or that hereafter may arise between two or more  
41 States concerning boundary, jurisdiction or any other causes whatever; which authority

1 shall always be exercised in the manner following. Whenever the legislative or executive  
2 authority or lawful agent of any State in controversy with another shall present a petition to  
3 Congress stating the matter in question and praying for a hearing, notice thereof shall be  
4 given by order of Congress to the legislative or executive authority of the other State in  
5 controversy, and a day assigned for the appearance of the parties by their lawful agents,  
6 who shall then be directed to appoint by joint consent, commissioners or judges to  
7 constitute a court for hearing and determining the matter in question: but if they cannot  
8 agree, Congress shall name three persons out of each of the United States, and from the list  
9 of such persons each party shall alternately strike out one, the petitioners beginning, until  
10 the number shall be reduced to thirteen; and from that number not less than seven, nor more  
11 than nine names as Congress shall direct, shall in the presence of Congress be drawn out by  
12 lot, and the persons whose names shall be so drawn or any five of them, shall be  
13 commissioners or judges, to hear and finally determine the controversy, so always as a  
14 major part of the judges who shall hear the cause shall agree in the determination: and if  
15 either party shall neglect to attend at the day appointed, without showing reasons, which  
16 Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall  
17 proceed to nominate three persons out of each State, and the secretary of Congress shall  
18 strike in behalf of such party absent or refusing; and the judgement and sentence of the  
19 court to be appointed, in the manner before prescribed, shall be final and conclusive; and if  
20 any of the parties shall refuse to submit to the authority of such court, or to appear or  
21 defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or  
22 judgement, which shall in like manner be final and decisive, the judgement or sentence and  
23 other proceedings being in either case transmitted to Congress, and lodged among the acts  
24 of Congress for the security of the parties concerned: provided that every commissioner,  
25 before he sits in judgement, shall take an oath to be administered by one of the judges of  
26 the supreme or superior court of the State, where the cause shall be tried, 'well and truly to  
27 hear and determine the matter in question, according to the best of his judgement, without  
28 favor, affection or hope of reward': provided also, that no State shall be deprived of  
29 territory for the benefit of the United States.

30 All controversies concerning the private right of soil claimed under different grants of two  
31 or more States, whose jurisdictions as they may respect such lands, and the States which  
32 passed such grants are adjusted, the said grants or either of them being at the same time  
33 claimed to have originated antecedent to such settlement of jurisdiction, shall on the  
34 petition of either party to the Congress of the United States, be finally determined as near as  
35 may be in the same manner as is before prescribed for deciding disputes respecting  
36 territorial jurisdiction between different States.

37 The United States in Congress assembled shall also have the sole and exclusive right and  
38 power of regulating the alloy and value of coin struck by their own authority, or by that of  
39 the respective States — fixing the standards of weights and measures throughout the United  
40 States — regulating the trade and managing all affairs with the Indians, not members of any  
41 of the States, provided that the legislative right of any State within its own limits be not  
42 infringed or violated — establishing or regulating post offices from one State to another,

1 throughout all the United States, and exacting such postage on the papers passing through  
2 the same as may be requisite to defray the expenses of the said office — appointing all  
3 officers of the land forces, in the service of the United States, excepting regimental officers  
4 — appointing all the officers of the naval forces, and commissioning all officers whatever  
5 in the service of the United States — making rules for the government and regulation of the  
6 said land and naval forces, and directing their operations.

7 The United States in Congress assembled shall have authority to appoint a committee, to sit  
8 in the recess of Congress, to be denominated ‘A Committee of the States’, and to consist of  
9 one delegate from each State; and to appoint such other committees and civil officers as  
10 may be necessary for managing the general affairs of the United States under their direction

11 — to appoint one of their members to preside, provided that no person be allowed to serve  
12 in the office of president more than one year in any term of three years; to ascertain the  
13 necessary sums of money to be raised for the service of the United States, and to  
14 appropriate and apply the same for defraying the public expenses — to borrow money, or  
15 emit bills on the credit of the United States, transmitting every half-year to the respective  
16 States an account of the sums of money so borrowed or emitted — to build and equip a  
17 navy — to agree upon the number of land forces, and to make requisitions from each State  
18 for its quota, in proportion to the number of white inhabitants in such State; which  
19 requisition shall be binding, and thereupon the legislature of each State shall appoint the  
20 regimental officers, raise the men and cloath, arm and equip them in a solid-like manner, at  
21 the expense of the United States; and the officers and men so cloathed, armed and equipped  
22 shall march to the place appointed, and within the time agreed on by the United States in  
23 Congress assembled. But if the United States in Congress assembled shall, on consideration  
24 of circumstances judge proper that any State should not raise men, or should raise a smaller  
25 number of men than the quota thereof, such extra number shall be raised, officered,  
26 cloathed, armed and equipped in the same manner as the quota of each State, unless the  
27 legislature of such State shall judge that such extra number cannot be safely spread out in  
28 the same, in which case they shall raise, officer, cloath, arm and equip as many of such  
29 extra number as they judeg can be safely spared. And the officers and men so cloathed,  
30 armed, and equipped, shall march to the place appointed, and within the time agreed on by  
31 the United States in Congress assembled.

32 The United States in Congress assembled shall never engage in a war, nor grant letters of  
33 marque or reprisal in time of peace, nor enter into any treaties or alliances, nor coin money,  
34 nor regulate the value thereof, nor ascertain the sums and expenses necessary for the  
35 defense and welfare of the United States, or any of them, nor emit bills, nor borrow money  
36 on the credit of the United States, nor appropriate money, nor agree upon the number of  
37 vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor  
38 appoint a commander in chief of the army or navy, unless nine States assent to the same:  
39 nor shall a question on any other point, except for adjourning from day to day be  
40 determined, unless by the votes of the majority of the United States in Congress assembled.

1 The Congress of the United States shall have power to adjourn to any time within the year,  
2 and to any place within the United States, so that no period of adjournment be for a longer  
3 duration than the space of six months, and shall publish the journal of their proceedings  
4 monthly, except such parts thereof relating to treaties, alliances or military operations, as in  
5 their judgement require secrecy; and the yeas and nays of the delegates of each State on any  
6 question shall be entered on the journal, when it is desired by any delegates of a State, or  
7 any of them, at his or their request shall be furnished with a transcript of the said journal,  
8 except such parts as are above excepted, to lay before the legislatures of the several States.

9 X. The Committee of the States, or any nine of them, shall be authorized to execute, in the  
10 recess of Congress, such of the powers of Congress as the United States in Congress  
11 assembled, by the consent of the nine States, shall from time to time think expedient to vest  
12 them with; provided that no power be delegated to the said Committee, for the exercise of  
13 which, by the Articles of Confederation, the voice of nine States in the Congress of the  
14 United States assembled be requisite.

15 XI. Canada acceding to this confederation, and adjoining in the measures of the United States,  
16 shall be admitted into, and entitled to all the advantages of this Union; but no other colony  
17 shall be admitted into the same, unless such admission be agreed to by nine States.

18 XII. All bills of credit emitted, monies borrowed, and debts contracted by, or under the authority  
19 of Congress, before the assembling of the United States, in pursuance of the present  
20 confederation, shall be deemed and considered as a charge against the United States, for  
21 payment and satisfaction whereof the said United States, and the public faith are hereby  
22 solemnly pledged.

23 XIII. Every State shall abide by the determination of the United States in Congress assembled, on  
24 all questions which by this confederation are submitted to them. And the Articles of this  
25 Confederation shall be inviolably observed by every State, and the Union shall be  
26 perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such  
27 alteration be agreed to in a Congress of the United States, and be afterwards confirmed by  
28 the legislatures of every State.

29 And Whereas it hath pleased the Great Governor of the World to incline the hearts of the  
30 legislatures we respectively represent in Congress, to approve of, and to authorize us to  
31 ratify the said Articles of Confederation and perpetual Union. Know Ye that we the  
32 undersigned delegates, by virtue of the power and authority to us given for that purpose, do  
33 by these presents, in the name and in behalf of our respective constituents, fully and  
34 entirely ratify and confirm each and every of the said Articles of Confederation and  
35 perpetual Union, and all and singular the matters and things therein contained: And we do  
36 further solemnly plight and engage the faith of our respective constituents, that they shall  
37 abide by the determinations of the United States in Congress assembled, on all questions,  
38 which by the said Confederation are submitted to them. And that the Articles thereof shall  
39 be inviolably observed by the States we respectively represent, and that the Union shall be  
40 perpetual.

1 In Witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the  
2 State of Pennsylvania the ninth day of July in the Year of our Lord One Thousand Seven Hundred  
3 and Seventy-Eight, and in the Third Year of the independence of America.

4

5 Agreed to by Congress 15 November 1777

6 In force after ratification by Maryland, 1 March 1781