

P. M. met according to adjournment.

The dispatches from General Schuyler being taken into consideration,

Resolved, That Gen' P. Schuyler be empowered to dispose of and employ all the troops in the New York department, in such manner as he may think best for the protection and defence of these colonies, the tribes of Indians in friendship and amity with us, and most effectually to promote the general Interest, still pursuing, if in his power, the former orders from this Congress, and subject to the future orders of the commander in chief.

Adjourned till to Morrow at 9 o'Clock.

FRIDAY, JULY 21, 1775

Met according to adjournment.

The Committee appointed to prepare an Address to the Inhabitants of Jamaica, having bro't in their report, the same was read.

Ordered, To lie on the table for farther consideration.

The Committee appointed to prepare an Address to the Inhabitants of Ireland, ||brought in a draught||

Ordered, To lie on the table.

Resolved, That Mr. Richard Bache, Mr. Stephen Paschall, and Mr. M[ichael] Hillegas, be appointed to superintend the press, and to have the oversight and care of printing the bills of Credit ordered to be struck by this Congress.

Resolved, That Mr. Willie Jones, of North Carolina, be the fifth commissioner of Indian Affairs in the southern department.

~~Mr. [James] Wilson having made a return of the duck, &c that can be procured in this City,~~

~~Ordered, that M^r. Wilson enquire whether Russia sheeting will answer for making tents.~~

~~Ordered, That the resolves respecting the militia be immediately published.~~

Agreeable to the standing order, the Congress resolved itself into a Committee of the whole, to take into consideration the state of America, and after some time spent therein, the president resumed the chair, and M^r [Samuel] Ward reported, that the Committee had come to certain resolutions, which he read, and desired leave to sit again.

*Franklin's Articles of Confederation*¹

Articles of Confederation and perpetual Union, entered into ~~agreed~~ *proposed* by the Delegates of the several Colonies of New Hampshire, &c, in general Congress met at Philadelphia, May 10, 1775.

ART. I.

The Name of this Confederacy shall henceforth be *The United Colonies of North America.*

ART. II.

The said United Colonies hereby severally enter into a firm League of Friendship with each other, binding on themselves and their Posterity, for their common Defence ~~and Offence~~, against their Enemies for the Security of their Liberties and Propertys, the Safety of their Persons and Families, and their ~~common and~~ mutual and general Welfare.

¹ In a volume of the *Papers of the Continental Congress* No. 9, containing a history of the Confederation, the first entry in the writing of Charles Thomson reads:

"July 21. 1775. Agreeably to Order the Congress resolved itself into a Committee of the whole to take into Consideration the State of America, when doct. B. Franklin submitted to their Consideration the following Sketch of Articles of Confederation."

The original MS. is in No. 47, folio 1. It has long been believed that the trade propositions submitted by Franklin on this day originally formed part of the Articles of Confederation, and the two documents are usually printed together. In 1775 a British vessel captured copies on their way to South Carolina and the two papers were published as one; and again in the *Archives of New Jersey*, vol. X, p. 691. But Thomson's entry must be conclusive. The Articles were probably submitted by Franklin of his own motion.

ART. III.

That each Colony shall enjoy and retain as much as it may think fit of its own present Laws, Customs, Rights, and Privileges, and peculiar Jurisdictions within its own Limits; and may amend its own Constitution as shall seem best to its own Assembly or Convention.

ART. IV.

That for the more convenient Management of general Interests, Delegates shall be annually elected in each Colony to meet in General Congress at such Time and Place as shall be agreed on in ~~each~~ the next preceding Congress. Only where particular Circumstances do not make a Deviation necessary, it is understood to be a Rule, that each succeeding Congress be held in a different Colony till the whole Number be gone through, and so in perpetual Rotation; and that accordingly the next Congress after the present shall be held ~~in the~~ at Annapolis in Maryland.

ART. V.

That the Power and Duty of the Congress shall extend to the Determining on War and Peace, to sending and receiving ambassadors, and entering into Alliances, [the Reconciliation with Great Britain;] the Settling all Disputes and Differences between Colony and Colony about Limits or any other cause if such should arise; and the Planting of new Colonies when proper.

The Congress shall also make ~~and propose~~ such general Regulations Ordinances as tho' necessary to the General Welfare, particular Assemblies ~~from their local Circum~~ cannot be competent to: viz. ~~such as may relate to~~ those that may relate to our general Commerce; or general Currency; to the Establishment of Posts; and the Regulation of our common Forces. The Congress shall also have the Appointment of all General Officers, civil and military, appertaining to the general Confederacy, such as General Treasurer, Secretary, &c.

ART. VI.

All Charges of Wars, and all other general Expences to be incurr'd for the common Welfare, shall be defray'd out of a common Treasury, which is to be supply'd by each Colony in proportion to its Number of Male Polls between 16 and 60 Years of Age; the Taxes for paying that proportion are to be laid and levied by the Laws of each Colony. ~~And all Advantages gained at a common Expence.~~

ART. VII.

The Number of Delegates to be elected and sent to the Congress by each Colony, shall be regulated from time to time by the Number of such Polls return'd; so as that one Delegate be allowed for every [5000] Polls. And the Delegates are to bring with them to every Congress, an authenticated Return of the number of Polls in the respective Provinces which is to be annually triennially taken for the Purposes above mentioned.

ART. VIII.

At every Meeting of the Congress One half of the Members return'd exclusive of Proxies be necessary to make a Quorum, and Each Delegate at the Congress, shall have a Vote in all Cases; and if necessarily absent, shall be allowed to appoint any other Delegate from the same Colony to be his Proxy, who may vote for him.

ART. IX.

An executive Council shall be appointed by the Congress out of their own Body, consisting of [12] Persons; of whom in the first Appointment one Third, viz. [4], shall be for one year, [4] for two Years, and [4] for three Years; and as the said Terms expire, the Vacancy shall be filled by Appointments for three Years, whereby One Third of the Members will be changed annually. And each Person who has served the said Term of three Years as Counsellor, shall have a Respite of three Years, before he can be elected again. ~~The Appointments to be determined by Ballot.~~ This Council (of whom two thirds shall be a Quorum,) in the Recess of the Congress is to execute what shall have been enjoin'd thereby; to manage the general continental Business and Interests to receive Applications from foreign Countries; to prepare Matters for the Consideration of the Congress; to fill up [*Pro tempore*] ~~general~~ continental Offices that fall vacant; and to draw on the General Treasurer for such Monies as may be necessary for general Services, & appropriated by the Congress to such Services.

ART. X.

No Colony shall engage in an offensive War with any Nation of Indians without the Consent of the Congress, or great Council above mentioned, who are first to consider the Justice and Necessity of such War.

ART. XI.

A perpetual Alliance offensive and defensive, is to be enter'd into as soon as may be with the Six Nations; their Limits to be ascertain'd and secur'd to them; their Land not to be encroach'd on, nor any private or Colony Purchases made of them hereafter to be held good; nor any Contract for Lands to be made but between the Great Council of the Indians at Onondaga and the General Congress. The Boundaries and Lands of all the other Indians shall also be ascertain'd and secur'd to them in the same manner; and Persons appointed to reside among them in proper Districts, who shall take care to prevent Injustice in the Trade with them, and be enabled at our general Expence by occasional small Supplies, to relieve their personal Wants and Distresses. And all Purchases from them shall be by the ~~General~~ Congress for the General Advantage and Benefit of the United Colonies.

ART. XII.

As all new Institutions ~~are Subject to~~ may have Imperfections which only Time and Experience can discover, it is agreed, That the General Congress from time to time shall propose such Amedments of this Constitution as ~~they~~ may be found necessary; which being approv'd by a Majority of the Colony Assemblies, shall be equally binding with the rest of the Articles of this Confederation.

ART. XIII.

Any ~~other~~ and every Colony from Great Britain upon the Continent of North America and not at present engag'd in our Association ~~shall~~ may upon Application and joining the said Association be receiv'd into this Confederation, viz. [Ireland] the West India Islands, Quebec, St. Johns, Nova Scotia, Bermudas, and the East and West Floridas; and shall thereupon be entitled to all the Advantages of our Union, mutual Assistance and Commerce.

These Articles shall be propos'd to the several Provincial Conventions or Assemblies, to be by them consider'd, and if approv'd they are advis'd to impower their Delegates to agree to and ratify the same in the ensuing Congress. After which the *Union* thereby establish'd is to continue firm till the Terms of Reconciliation proposed in the Petition of the last Congress to the King are agreed to; till the Acts since made restraining the American Commerce and Fisheries are repeal'd; till Reparation is made for the Injury done to Boston by

shutting up its Port; for the Burning of Charlestown; and for the Expencc of this unjust War; and till all the British Troops are withdrawn from America. On the Arrival of these Events the Colonies [shall] return to their former Connection and Friendship with Britain: But on Failure thereof this Confederation is to be perpetual.¹

¹ Endorsed,

"Sketch of Articles of Confederation. July '75.

"This sketch in handwrit^g of Doct Franklin.

"Read before Congress July 21, 1775."

A manuscript in the Library of Congress gives a copy of the Franklin Articles of Confederation and some comments or amendments made by G: W., i. e. George Wythe. The comments are as follows:

	By the Albany plan.	The present plan (5,000) polls to a Delegate supposed.
New Hampshire.....	2	Near 5½
Massachusetts.....	7	18
Conecticut.....	5	10½
Rhode Island.....	2	3
N York.....	4	10½
New Jersey.....	3	6½
Pennsylvania.....	6	15½
Lower Counties.....	---	1½
Maryland.....	4	13
Virginia.....	7	20½
North Carolina.....	4	10
South Carolina.....	4	10
	48	124½

"Massach: Pennsylvania Virginia & Maryland 66 members more than half the whole.

"Remarks by G. W.

"Addition to 6th article.

and the Delegates are to Bring with them to Every Congress an authenticated Return of the No. of the polls in their respective Colonies which is to be triennially taken in order that Each Colonies proportion of the General taxes may be Equitably affixed.

"Art 7th.

"Each Colony shall Choose what No. of Delegates the Assembly or Convention of such Colony pleases not Exceeding for any one Colony.

"Art 8th.

"Each Delegate at the Congress shall have a vote in the first Instance in all Cases but if any Colony or Colonies are Dissatisfied with the majority of voices so taken the Colonies shall be Called seperately and Each Colony whatever its No of Delegates may be, shall have only one vote as hath heretofore been Customary in Congress."