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the Articles of Confederation by the States In Congress

Rhode Island, 23 June 1778

*Instructions to the Delegates in Congress, 16 February 1778*¹

IT is Voted and Resolved, That the following instructions be, and they are hereby, given to the Delegates appointed to represent this State in Congress, *to wit*:

INSTRUCTIONS to the Honorable *Stephen Hopkins, William Ellery, and Henry Marchant*, Esqrs; Delegates from this State in Congress, respecting the proposed Articles of Confederation and perpetual Union between the *Thirteen United States*.

First. BY the fifth Article, no State can be represented by less than two Members. As it will be inconvenient and burthensome for the small States to keep in Congress more than two or three Members, it may happen from Sickness, Death, or some other unavoidable Accident, that such State may have not more than one Member present in Congress; and thereby be deprived of a Voice, which may be highly prejudicial. You are therefore instructed to move in Congress for an Alteration in that Article; so that in Case by Sickness, Death, or any other unavoidable Accident, but one of the Members of a State can attend Congress, such State may be represented in Congress by one Member for such reasonable Space of Time as shall be agreed upon by Congress, and ascertained by the Articles of Confederation.

Secondly. TAXES ought to be assessed equally; and nothing will have a greater Tendency to induce Freemen to submit to heavy Burthens, than an Opinion that they are justly proportioned: And as very material Alterations may happen in the Abilities of the different States to pay Taxes in the Course of a few Years; You are instructed to move in Congress for the following Addition to the eighth Article, “That such Estimate be taken and made once in every five Years at least.”

Thirdly. THE King of *Great-Britain*, before the present War, was vested with the Property of great Quantities of Land; and enjoyed large Revenues arising from Quit-Rents within the *United States*.—By commencing and carrying on this unnatural War, with the avowed Design of reducing the *United States* to the most debasing and ignominious Servitude, that Crown hath justly forfeited such Lands and Revenues. If the Forfeiture takes Place, it will be in Consequence of the Exertions of all the *United States*, by whom the War is supported.—Consequently all the *United States* ought to be proportionably benefited by the Forfeiture.—But should the several States in which such Lands lie, and Revenues are raised, appropriate them to their seperate Use, they will at the End of the War be possessed of great Funds to reimburse themselves their Expences; while those States which are not in that Situation, although at a proportionable Expence of Blood and Treasure in recovering such Forfeiture, not receiving any Benefit therefrom,

will be left to struggle with an immense Debt, which is unequal and unjust.—The Claim of the Crown of *Great-Britain* to such Lands and Revenues was uncontested before the present War, none of the States having formed any Pretensions thereto, which is another cogent Argument why the Forfeiture ought to be vested in all the *United States*. Omitting many Things which your Attention to this *important* Object will suggest to You, it is proper to observe that Congress have promised Lands to the Army; and that, unless they be provided out of such Forfeiture, several of the States, and this in particular, will be in a very unhappy Predicament: You are therefore instructed to move in Congress that it be inserted in the Articles of Confederation, that all such Lands and Revenues be forfeited to the *United States*, to be disposed of, and appropriated, by Congress, for the Benefit of the whole Confederacy.—It is not meant, by this Instruction, that Congress should claim the Jurisdiction of the forfeited Lands; but that the same should remain to the State in which it lies.

Fourthly. ALTHOUGH this Assembly deem the Amendments and Alterations herein proposed of very great Importance, yet the Completion of the UNION is so indispensibly necessary that You are instructed, after having used your utmost Influence to procure them to be made, in Case they should be rejected not to decline acceding, on the Part of this State, to the Articles of Confederation; taking Care that these proposed Amendments and Alterations be previously entered upon the Records of the Congress, that it may appear they were made before the signing of the Confederation; and that this State intends hereafter to renew the Motion for them.—This Assembly trusting that Congress, at some future Time, convinced of their Utility and Justice, will adopt them; and that they will be confirmed by all the States.

It is further Voted and Resolved, That an Exemplification of this Act be made and transmitted by the Secretary, to the Delegates appointed to represent this State in Congress, who are indispensibly to observe and follow the said Instructions.

THIS Assembly having taken into Consideration the 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*, transmitted by Congress to this State; and having had them repeatedly read, and having maturely weighed, and most seriously deliberated upon them, as their Importance to this and the other States, and to Posterity, deserves; and considering also the pressing Necessity of completing the Union, as a Measure essential to the Preservation of the Independence and Safety of the said States, *Do Vote and Resolve*, and *It is Voted and Resolved*, That the Honorable *Stephen Hopkins*, Esq; *William Ellery*, Esq; and *Henry Marchant*, Esq; the Delegates to represent this State in Congress, or any one of them, be, and they are hereby, fully authorized and empowered, on the Part and Behalf of this State, to accede to and sign the said Articles of Confederation and perpetual Union, in such solemn Form and Manner as Congress shall think best adapted to a Transaction so important to the present and future Generations: Provided that the same be acceded to by Eight of the other States; And in Case any Alterations in, or Additions to, the said Articles of Confederation and perpetual Union, shall be made by Nine of the said States in Congress assembled, That the said Delegates, or any one of them, be, and they are hereby, authorized and empowered, in like Manner, to accede to and

sign the said Articles of Confederation and perpetual Union, with the Alterations and Additions which shall be so made.

IT is further Voted and Resolved, That this Assembly will, and do hereby, in Behalf of the said State of *Rhode-Island* and *Providence Plantations*, in the most solemn Manner, pledge the Faith of the said State to hold and consider the Acts of the said Delegates, or any one of them, in so acceding to and signing the said Articles of Confederation and perpetual Union, as valid and binding upon the said State in all future Time.

AND it is further Voted and Resolved, That a fair Copy of this Act be made, and authenticated under the publick Seal of this State, with the Signature of his Excellency the Governor, and be transmitted to the said Delegates: And that the same shall be sufficient Warrant and Authority to the said Delegates, or any one of them, for the Purposes aforesaid.

IT is Voted and Resolved, That the Honorable *Henry Marchant*, Esq; be, and he is hereby, requested to give his Attendance on Congress by the twentieth of *March* next: That when a Report shall be made by the several Legislatures of the Articles of Confederation proposed to them by Congress, he may with our other Delegate procure such Alterations therein as are agreeable to the Instructions given them by this Assembly.

IT is further Voted and Resolved, That a Copy hereof, with an Exemplification of said Instructions, be transmitted to the said *Henry Marchant*, Esq; that he may proceed therewith accordingly.

Journals of Congress, 23 June 1778

The delegates from Rhode Island, being called upon for the report of their constituents, produced instructions and thereupon moved,

1. In the 5th Article after the word “two” to insert “members unless by sickness, death or any other unavoidable accident but one of the members of a state can attend Congress, in which case such state may be represented in Congress by one member for the space of _____ Months.”

Question put, to agree to the amendment.

Passed in the negative: one Aye and nine Noes.

2. In the 8th Article after the word “appoint” to add “such estimate to be taken and made once in every five years.”

Question put.

Passed in the negative: 4 Ayes, 6 Noes.

3. In the 9th Article at the end of the 2nd paragraph after the words “for the benefit of the united states” to add, “provided nevertheless that all lands within these states, the property of which before the present war was vested in the crown of great Britain or out of which revenues from quit rents arose, payable to the said crown shall be deemed, taken and considered as the property of these united states and be disposed of and appropriated by Congress for the benefit of the whole confederacy, reserving however to the states within whose limits such crown lands may be the entire and compleat jurisdiction thereof.”

Question put.

Passed in the negative: 1 Aye, nine Noes.

1. On 20 December 1777 the legislature moved that the Articles of Confederation be considered during its next session. The legislature considered the Articles on 15 and 16 February 1778 and adopted instructions to the delegates. The Governor signed them on 18 February.

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