The Articles Of Confederation Of The United Colonies Of New England – 1643

The Articles of Confederation between the Plantations under the Government of the Massachusetts, the Plantations under the Government of New Plymouth, the Plantations under the Government of Connecticut, and the Government of New Haven with the Plantations in Combination therewith:

1. Whereas we all came into these parts of America with one and the same end and aim, namely, to advance the Kingdom of our Lord Jesus Christ and to enjoy the liberties of the Gospel in purity with peace; and whereas in our settling (by a wise providence of God) we are further dispersed upon the sea coasts and rivers than was at first intended, so that we can not according to our desire with convenience communicate in one government and jurisdiction; and whereas we live encompassed with people of several nations and strange languages which hereafter may prove injurious to us or our posterity. And forasmuch as the natives have formerly committed sundry Insolence and outrages upon several Plantations of the English and have of late combined themselves against us: and seeing by reason of those sad distractions in England which they have heard of, and by which they know vie are hindered from that humble way of seeking advice, or reaping those comfortable fruits of protection, which at other times we might well expect. We therefore do conceive it our bounder duty, without delay to enter into a present Consociation amongst ourselves, for mutual help and strength in all our future concernments: That, as in nation and religion, so in other respects, we be and continue one according to the tenor and true meaning of the ensuing articles: Wherefore it is fully agreed and concluded by and between the parties or Jurisdictions above named, and they jointly and severally do by these presents agree and conclude that they all be and henceforth be called by the name of the United Colonies of New England.

2. The said United Colonies for themselves and their posterities do jointly and severally hereby enter into a firm and perpetual league of friendship and amity for offence and defence, mutual advice and succor upon all just occasions both for preserving and propagating the truth and liberties of the

Gospel and for their own mutual safety and welfare.

3. It is further agreed that the Plantations which at present are or hereafter shall be settled within the limits of the Massachusetts shall be forever under the Massachusetts and shall have peculiar jurisdiction among themselves in all cases as an entire body, and that Plymouth, Connecticut, and New Haven shall each of them have like peculiar jurisdiction and government within their limits; and in reference to the Plantations which already are settled, or shall hereafter be erected, or shall settle within their limits respectively; provided no other Jurisdiction shall hereafter be taken in as a distinct head or member of this Confederation, nor shall any other Plantation or Jurisdiction in present being, and not already in combination or under the jurisdiction of any of these Confederates, be received by any of them; nor shall any two of the Confederates join in one Jurisdiction without consent of the rest, which consent to be interpreted as is expressed in the sixth article ensuing.

4. It is by these Confederates agreed that the charge of all just wars, whether offensive or defensive, upon what part or member of this Confederation soever they fall, shall both in men, provisions and all other disbursements be borne by all the parts of this Confederation in different proportions according to their different ability in manner following, namely, that the Commissioners for each Jurisdiction from time to time, as there shall be occasion, bring a true account and number of all their males in every Plantation, or any way belonging to or under their several Jurisdictions, of what quality or condition soever they be, from sixteen years old to threescore, being inhabitants there. And that according to the different numbers which from time to time shall be found in each Jurisdiction upon a true and just account, the service of men and all charges of the war be borne by the poll: each Jurisdiction or Plantation being left to their own just course and custom of rating themselves and people according to their different estates with due respects to their qualities and exemptions amongst themselves though the Confederation take no notice of any such privilege: and that according to their different charge of each Jurisdiction and Plantation the whole advantage of the war (if it please God so to bless their endeavors) whether it be in lands, goods, or persons, shall be proportionately divided among the said Confederates.

5. It is further agreed, that if any of these Jurisdictions or any Plantation under or in combination with them, be invaded by any enemy whomsoever, upon notice and request of any three magistrates of that Jurisdiction so invaded, the rest of the Confederates without any further meeting or expostulation shall forthwith send aid to the Confederate in danger but in different proportions; namely, the Massachusetts an hundred men sufficiently armed and provided for such a service and journey, and each of the rest, forty-five so armed and provided, or any less number, if less be required according to this proportion. But if such Confederate in danger may be supplied by their next Confederates, not exceeding the number hereby agreed, they may crave help there, and seek no further for the present: the charge to be borne as in this article is expressed: and at the return to be victualled and supplied with powder and shot for their journey (if there be need) by that Jurisdiction which

employed or sent for them; but none of the Jurisdictions to exceed these numbers until by a meeting of the Commissioners for this Confederation a greater aid appear necessary. And this proportion to continue till upon knowledge of greater numbers in each Jurisdiction which shall be brought to the next meeting, some other proportion be ordered. But in any such case of sending men for present aid, whether before or after such order or alteration, it is agreed that at the meeting of the Commissioners for this Confederation, the cause of such war or invasion be duly considered: and if it appear that the fault lay in the parties so invaded then that Jurisdiction or Plantation make just satisfaction, both to the invaders whom they have injured, and bear all the charges of the war themselves, without requiring any allowance from the rest of the Confederates towards the same. And further that if any Jurisdiction see any danger of invasion approaching, and there be time for a meeting, that in such a case three magistrates of the Jurisdiction may summon a meeting at such convenient place as themselves shall think meet, to consider and provide against the threatened danger; provided when they are met they may remove to what place they please; only whilst any of these four Confederates have but three magistrates in their Jurisdiction, their requests, or summons, from any two of them shall be accounted of equal force with the three mentioned in both the clauses of this article, till there be an increase of magistrates there.

6. It is also agreed, that for the managing and concluding of all Stairs and concerning the whole Confederation two Commissioners shall be chosen by and out of each of these four Jurisdictions: namely, two for the Massachusetts, two for Plymouth, two for Connecticut, and two for New Haven, being all in Church-fellowship with us, which shall bring full power from their several General Courts respectively to hear, examine, weigh, and determine all affairs of our war, or peace, leagues, aids, charges, and numbers of men for war, division of spoils and whatsoever is gotten by conquest, receiving of more Confederates for Plantations into combination with any of the Confederates, and all things of like nature, which are the proper concomitants or consequents of such a Confederation for amity, offense, and defence: not intermeddling with the government of any of the Jurisdictions, which by the third article is preserved entirely to themselves. But if these eight Commissioners when they meet shall not all agree yet it [is]concluded that any six of the eight agreeing shall have power to settle and determine the business in question. But if six do not agree, that then such propositions with their reasons so far as they have been debated, be sent and referred to the four General Courts; namely, the Massachusetts, Plymouth, Connecticut, and New Haven; and if at all the said General Courts the business so referred be concluded, then to be prosecuted by the Confederates and all their members. It is further agreed that these eight Commissioners shall meet once every year besides extraordinary meetings (according to the fifth article) to consider, treat, and conclude of all affairs belonging to this Confederation, which meeting shall ever be the first Thursday in September. And that the next meeting after the date of these presents, which shall be accounted the second meeting, shall be at Boston in the Massachusetts, the third at Hartford, the fourth at New Haven, the fifth at Plymouth, the sixth and seventh at Boston; and then Hartford, New Haven, and Plymouth, and so n course successively, if

in the meantime some middle place be not found out and agreed on, which may be commodious for all the Jurisdictions.

7. It is further agreed that at each meeting of these eight Commissioners, whether ordinary or extraordinary, they or six of them agreeing as before, may choose their President out of themselves whose office work shall be to take care and direct for order and a comely carrying on of all proceedings in the present meeting: but he shall be invested with no such power or respect, as by which he shall hinder the propounding or progress of any business, or any way cast the scales otherwise than in the precedent article is agreed.

8. It is also agreed that the Commissioners for this Confederation hereafter at their meetings, whether ordinary or extraordinary, as they may have commission or opportunity, do endeavor to frame and establish agreements and orders in general cases of a civil nature, wherein all the Plantations are interested, for preserving of peace among themselves, for preventing as much as may be all occasion of war or differences with others, as about the free and speedy passage of justice in every Jurisdiction, to all the Confederates equally as to their own, receiving those that remove from one Plantation to another without due certificate, how all the Jurisdictions may carry it towards the Indians, that they neither grow insolent nor be injured without due satisfaction, lest war break in upon the Confederates through such miscarriages. It is also agreed that if any servant run away from his master into any other of these confederated Jurisdictions, that in such case, upon the certificate of one magistrate in the Jurisdiction out of which the said servant fled, or upon other due proof; the said servant shall be delivered, either to his master, or any other that pursues and brings such certificate or proof. And that upon the escape of any prisoner whatsoever, or fugitive for any criminal cause, whether breaking prison, or getting from the officer, or otherwise escaping, upon the certificate of two magistrates of the Jurisdiction out of which the escape is made, that he was a prisoner, or such an offender at the time of the escape, the magistrates, or some of them of that Jurisdiction where for the present the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear, for the apprehending of any such person, and the delivery of him into the hands of the officer or other person who pursues him. And if there be help required, for the safe returning of any such offender, then it shall be granted to him that craves the same, he paying the charges thereof.

9. And for that the justest wars may be of dangerous consequence, especially to the smaller Plantations in these United Colonies, it is agreed that neither the Massachusetts, Plymouth, Connecticut, nor New Haven, nor any of the members of them, shall at any time hereafter begin, undertake, or engage themselves, or this Confederation, or any part thereof in any war whatsoever (sudden exigencies, with the necessary consequents thereof excepted), which are also to be moderated as much as the case will permit, without the consent and agreement of the forementioned eight Commissioners, or at least six of them, as in the sixth article is provided: and that no charge be required of any of the Confederates, in case of a defensive war, till the said Commissioners

have met, and approved the justice of the war, and have agreed upon the sum of money to be levied, which sum is then to be paid by the several Confederates in proportion according to the fourth article.

10. That in extraordinary occasions, when meetings are summoned by three magistrates of any Jurisdiction, or two as in the fifth article, ii) any of the Commissioners come not, due warning being given or sent, it is agreed that four of the Commissioners shall have power to direct a war which cannot be delayed, and to send for due proportions of men out of each Jurisdiction, as well as six might do if all met; but not less than six shall determine the justice of the war, or allow the demands or bills of charges, or cause any levies to be made for the same.

11. It is further agreed that if any of the Confederates shall hereafter break any of these present articles, or be any other ways injurious to any one of the other Jurisdictions; such breach of agreement or injury shall be duly considered and ordered by the Commissioners for the other Jurisdictions, that both peace and this present Confederation may be entirely preserved without violation.

12. Lastly, this perpetual Confederation, and the several articles and agreements thereof being read and seriously considered, both by the General Court for the Massachusetts, and by the Commissioners for Plymouth, Connecticut, and New Haven, were fully allowed and confirmed by three of the forenamed Confederates, namely, the Massachusetts, Connecticut, and New Haven; only the Commissioners for Plymouth having no commission to concludes desired respite until they might advise with their General Court; whereupon it was agreed and concluded by the said Court of the Massachusetts, and the Commissioners for the other two Confederates, that, if Plymouth consent, thenthe whole treaty as it stands in these present articles is, and shall continue, firm and stable without alteration: but if Plymouth come not in yet the other three Confederates do by these presents confirm the whole Confederation, and all the articles thereof; only in September next when the second meeting of the Commissioners is to be at Boston, new consideration may be taken of the sixth article, which concerns number of Commissioners for meeting and concluding the affairs of this Confederation to the satisfaction of the Court of the Massachusetts, and the Commissioners for the other two Confederates, but the rest to stand unquestioned.

In testimony whereof, the General Court of the Massachusetts by their Secretary, and the Commissioners for Connecticut and New Haven, have subscribed these present articles of this nineteenth of the third month, commonly called May, Anno Domini 1643.

At a meeting of the Commissioners for the Confederation held at Boston the 7th of September, it appearing that the General Court of New Plymouth and the several townships thereof have read, considered, and approved these Articles of Confederation, as appeareth by commission of their General Court bearing date the 29th of August, 1643, to Mr. Edward Winslow and Mr.

William Collier to ratify and confirm the same on their behalf: we therefore, the Commissioners for the Massachusetts, Connecticut, and New Haven, do also from our several Governments subscribe unto them.