

AMENDMENT TO GRANT COMMERCIAL POWERS TO CONGRESS, 28 March 1785

That the first paragraph of the 9th of the Articles of Confederation be altered so as to read thus—viz

“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—of regulating the trade of the States as well with foreign Nations, as with each other, and of laying such imposts and duties, upon imports and exports, as may be necessary for the purpose; provided that the Citizens of the States, shall in no instance be subjected to pay higher imposts and duties, than those imposed on the subjects of foreign powers; provided also that the Legislative power of the several States shall not be restrained from prohibiting the importation or exportation of any species of goods or commodities whatsoever, provided also that all such duties as may be imposed, shall be collected under the authority and accrue to the use of the State in which the same shall be payable. And provided lastly that every Act of Congress for the above purpose shall have the assent of nine States in Congress assembled—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 & reprisal in time of peace—appointing Courts for the trial of piracies and 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 Judge of any of the said Courts”—

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