

## In Congress. November 24, 1778

**IN CONGRESS. NOVEMBER** 24, 1778.

**CONGRESS** took into consideration the Report of the Committee of Arrangement, and thereupon came to the following resolutions.

**WHEREAS** the settlement of rank in the army of the United States has been attended with much difficulty and delay, inasmuch as no general principles have been adopted and uniformly pursued; **RESOLVED, THEREFORE,** That upon any dispute of rank the following rules shall hereafter be observed:

1. For determining rank in the continental line between all Colonels and inferior officers of different States, between like officers of infantry and those of horse and artillery, appointed under the authority of Congress by virtue of a resolve of the 16th of September, 1776, or by virtue of any subsequent resolution prior to the first of January, 1777, all such officers shall be deemed to have their commissions dated on the day last mentioned, and their relative rank, with respect to each other in the continental line of the army, shall be determined by their rank prior to the 16th day of September, 1776. This rule shall not be considered to affect the rank of the line within any State, or within the corps of artillery, horse, or among the sixteen additional battalions, where the rank hath been settled; but shall be the rule to determine the relative rank within the particular line of artillery, so far as the rank remains unsettled.
2. In the second instance, preference shall be given to commissions in the new levies and flying camp.

## Library of Congress

3. In determining rank between continental officers, in other respects equal, proper respect shall be had to their commissions in the militia, where they have served in the continental army for the space of one month.

4. All Colonels and inferior officers, appointed to vacancies since the 5th day of January, 1777, shall take rank from the right of succession to such vacancies.

5. In all cases where the rank between the officers of different States is equal, or between an officer of State troops and one of cavalry, artillery, or of the additional battalions, the precedence is to be determined by lot.

6. All officers who have been prisoners with the enemy, being appointed by their States, and again enter into the service, shall do it agreeably to the above rule; that is to say, all of the rank of Captains, and under, shall enter in the same regiment to which they formerly belonged, and if such regiment is dissolved or otherwise reduced, they shall be intitled to the first vacancy in any regiment of the State in their proper rank, after the officers belonging to such regiment have been provided for.

7. The rules of rank above laid down between officers of different States, are to govern between officers of the same State, except in cases where the State may have laid down a different rule, or already settled their rank.

8. A resignation shall preclude any claim of benefit from former rank under a new appointment. Whereas, from the alteration of the establishment and other causes, many valuable officers have been and may be omitted in the new arrangement, as being supernumerary, who, from their conduct and services, are intitled to the honourable notice of Congress, and to a suitable provision, until they can return to civil life with advantage.

RESOLVED, THEREFORE, That Congress gratefully acknowledge the faithful services of such officers, and that all supernumerary officers be intitled to one year's pay of their commissions respectively, to be computed from the time such officers had leave of

## Library of Congress

absence from the Commander in Chief on this account. And Congress do earnestly recommend to the several States to which such officers belong, to make such farther provision for them as their respective circumstances and merits intitle them to.

Whereas it will be for the benefit of the service, that some rule for promotions be established:

THEREFORE, RESOLVED, That it be recommended to the several States, to provide that in all future promotions officers rise regimentally to the rank of Captain, and thence in the line of the State to the rank of Colonel, except in cases where a preference may be given on account of distinguished merit.

RESOLVED, That all officers who have been in the service, and, having been prisoners with the enemy, now are or hereafter may be exchanged, or otherwise released, shall, if appointed by the authority of the State, be intitled, in case of vacancy, to enter into the service of their respective State, in such rank as they would have had if they had never been captured; provided always that every such officer do, within one month after his exchange or release, signify, to the authority of the State to which he belongs, his release, and his desire to enter again into the military service.

RESOLVED, That every officer so released, and giving notice as aforesaid, shall, until entry into actual service, be allowed half pay of the commission, to which, by the foregoing resolve, he stands intitled; provided always, that in case of his receiving any civil office of profit, such half pay shall thenceforth cease.

RESOLVED, That no brevets be for the future granted, except to officers in the line, or in case of very eminent services.

RESOLVED, That Pay-Masters, not being of the rank of Captains, Quarter-Masters and Adjutants, be intitled to receive *Twenty Dollars per month*, subsistence money, in lieu of rations.

## Library of Congress

RESOLVED, That all officers and persons employed on the Staff shall receive, for subsistence money, *One-Third of a Dollar* for each extra ration heretofore allowed them.

RESOLVED, That Adjutants, Pay-Masters and Quarter-Masters, taken from the line, be again admitted into the rank they would have been intitled to, had they continued in the line. And such Adjutants, Pay-Masters and Quarter-Masters, not taken from the line, may be admissable into the line in such subaltern ranks, as, by a signed certificate from the field officers of their respective corps, they shall be deemed competent to.

*Extract from the Minutes, CHARLES THOMSON, Secretary.*

24th Nov. 1778

Resolves Congress 24th Nov. 1778 respecting the Ranks & Pay of Officers in the Army