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In Congress Jan^y 13th 1780.

A Letter of the 4th from Gen^l Washington was read, accompanied with Sundry papers relative to a proposed Exchange of Prisoners of War, — Whereupon,

Resolved, that it be recommended to the executive Authorities of the several States, to transmit with all possible Expedition to Gen^l Washington the Names and Rank of all Officers & the Number of Privates belonging to the Enemy, held as Prisoners of War within their respective States, and the Places they are at in order that they may be included in the General Exchange, should a cartel be agreed to between the Command in Chief of the American & British Armies.

Congress took into Consideration the Report of the Board of War relative to Prisoners, and thereupon came to the following Resolutions.

Many Inconveniencies attending the present Management of Prisoners of War, and great Dissatisfaction having arisen from the Mode of exchanging them heretofore^{used}, and from the Partialities inevitably attending the same while conducted under various Directions by divers Commissioners independant of each other, and sufficient Provision not being made for their Security in many Cases frequently occurring.

Resolved that all Prisoners of War, whether captured by the Army or Navy of the United States, or by the Subjects, Troops or Ships of any particular State shall be delivered into the Care and Custody of
(the)

The Commissary Gen^l of Prisoners by Deputies, or Assistants, and be deemed and treated in all respects as Prisoners of War to the United States.

That it be earnestly recommended to the Govern-
-ments of the respective States, that they make no Ex-
-change of Prisoners, to the Intent that all Exchanges
may be made through the Commissary Gen^l of Pri-
-soners by Direction of Congress or ^{the} Commander in
-Chief, or Board of Admiralty, and when Prisoners are
taken by the particular Subject, Troops or Vessels of
any State not in the Service of the United States or by
private Ships or Vessels of War fitted out in any par-
-ticular State, they shall be first exchanged, so far as
is necessary for the Subjects or Inhabitants of the same
State taken by the Subjects, Adherents, Ships or Vessels
of the Enemy, and the Overplus, if any, shall go
-toward, redeeming the Prisoners in the Hands of the
Enemy, without regard to their being Subjects or In-
-habitants of any particular State.

That all Masters or Commanders of private Ships
or Vessels of War shall take the utmost Care to bring
into Port all Prisoners captivated by them. And if
from Necessity they shall be obliged to dismiss any
Prisoners at Sea, they shall on Return from their
Cruise make Report thereof on Oath to the Judge of
the Admiralty of the State to which they belong, or in
which they arrive within twenty after their Arrival,
with their Reasons for such Dismission. And if the
Judge shall not be satisfied with the Reasons assigned,

(or)

Or if it shall appear that the Prisoners were discharged to avoid the Trouble or Expence of bringing them into Port, and delivering them into Custody, or in any wise unnecessarily, then the Judge shall transmit an Account thereof to the Executive of the State, who are requested to examine into the Matter, and vacate the Commission granted to the said Delinquent Master or Commander of the Ship or Vessel if they are of Opinion that such Dismission was improper.

That all Prisoners of War captivated by private Ship or Vessel of War be delivered by and at the Expence of the Master or owner of such ^{Ship or} Vessel, to a Commissary of Prisoners nearest the Place of their Landing, or into the nearest County Goal, on pain of Forfeiture of the Commission granted to such private Ship or Vessel.

That on such delivery of the Prisoners into the Goal, the Goaler shall be obliged to inform the Government of the State — wherein the said Prisoners are landed, or in case of their Residence at too great a Distance, the Lieutenant or Commanding officer of the Militia of the County, wherein such Prisoners are landed, the Commissary General of Prisoners or his Deputy; That if the said Prisoners are not doomed by the Executive of the State or the said
 (Commanding)

Commanding Officer of the Militia in a
place of sufficient security, they may be
removed under proper Guard, to a place
or places of greater safety, at the expense
of the united States, and the Executive
Powers of the respective States are requested
to give the necessary Order, to the com-
manding Officers of Militia, on this
Subject, and to pay the necessary Expence
of Escorting and transporting the Prisoners
charging the same to the united States,
The said Executives are also requested to
give Orders to the Officers of their Militia
to take immediate Charge of all Prisoners
of War captured by the Ships and Vessels
of War belonging to the united States, or to
any particular State, and convey them at the
Expence of the united States, to the nearest
Commissary of Prisoners, or County Goal; and
also direct the like Steps to be taken in regard
to their removal to places of greater safety, as
is provided in the case of Prisoners captured
by private Vessels. -

That it be recommended to the Legislatures
of the respective States effectually to provide at
the Expence of the united States for the delivery
and safe Keeping of all Prisoners captured by
their respective Subjects out of Vessels stranded
or cast on Shore on their Coasts obliging the
Parties taking Prisoners to deliver them to the
(nearest)

Nearest Commissary of Prisoners or into the nearest Goal in case no Commissary of Prisoners is stationed within convenient distance of their Place of capture; and in case of Neglect or Misconduct in the Persons so taking Prisoners, that they forfeit all right to the Vessel, her Tackles, Apparel and Furniture so cast on Shore, or the Property they may save, or be otherwise entitled to, out of such Vessel, or imposing such other Penalty as the said Legislatures shall respectively think proper.

That it be recommended to the said Legislatures to provide and direct, that all Goalers receive and deliver Prisoners of War without charging any Fee or Reward to the Persons delivering them into or taking them by proper Authority out of their Custody. The reasonable Expenses of supporting such Prisoners in Goal to be paid by the Government of the State wherein they shall be confined and charged to the United States, except where they can and shall be otherwise provided for by the proper Officer in the Service of the United States. - And the Goalers shall transmit a Copy of his Charges against the United States for Account of Prisoners of War to the Comy Genl of Prisoners or his nearest Deputy, when any Prisoners leave the Goal, either for Removal to Places of greater Security or Exchange.

That Prisoners of War either on their March or in Confinement be furnished with only two thirds of a Soldiers Ration.

(That)

New York
 Records of Congress
 13 June 1780
 Relative to Prisoners

That none but sick or wounded Prisoners
be allowed Carriages at public Expences.

That all Prisoners on Parole pay their own
Expences, and such Expences shall be paid
before they shall be exchanged. —

That all Officers Prisoners of War to the
United States unless in Hospitals pay their Physi-
cians, Surgeons and Attendants.

That the Commissary Genl of Prisoners and
his Deputies make regular monthly Returns to
the Board of War of the Number, Situation and
Exchanges of all Prisoners under their Charge,
and that they also give the said Board such Occa-
sional Information of all material Transactions
in their Department as Circumstances from time
to time render necessary, or when they shall be
required by the Board so to do, under Pain of being
suspended or dismissed by the said Board.

That all Exchanges of Prisoners made in
Consequence of the foregoing Resolution shall
be Soldier for Soldier and Sailor for Sailor. —

Extract from the Minutes.

Cha. Thompson