Mr. Muhlenberg, from the Committee on Revolutionary Claims, made the following

REPORT:

The Committee on Revolutionary Claims, to which was referred the petition of the heirs of Garland Burnley, deceased, report:

The petitioners, grandchildren of Captain Garland Burnley, deceased, state that their ancestor entered the army of the Revolution at the commencement of the war; that he first engaged in the "minute service" of Virginia, and was in a hard-fought action near the borough of Norfolk; that in the year 1776 he was appointed a lieutenant in Captain Spencer's company of regulars, raised in pursuance of an ordinance of the General Convention; that in 1778, he was appointed a captain in Colonel Francis Taylor's regiment, acknowledged by repeated acts of the Government to have been a continental regiment; and that he served until June, 1781, when the regiment was disbanded, and he became a supernumerary, without resigning his commission, and subject to orders until the close of the war.

This statement of the petitioners is verified by the testimony submitted with the petition. From a report made by the Orange county committee, pursuant to an ordinance of the General Convention, and signed "Thos. Barbour, chairman, and Benj. Johnston, clerk," it appears that Lieutenant Burnley had been in the minute service, and was appointed a lieutenant in Spencer's company of regulars, to be raised in that county, and was engaged in enlisting men. From a certificate signed "Robert Taylor, jr." it appears that from an account-book kept in the handwriting of Colonel Francis Taylor, of the continental line, purporting to be an account of the moneys charged to the different officers and men in service with him, Garland Burnley is charged with different sums; and, also, "that the books and papers of the said Colonel Taylor prove that much confidence was reposed in Captain Burnley, and that the pay and muster-rolls of his company show that he, the said Burnley, was in actual service as late as the spring of 1781." By a certificate from the Auditor's office of Virginia, it appears that Garland Burnley was paid, for services as a captain in the Virginia continental line, to June 15, 1781; and by another certificate from the United States bounty land office, signed "William Gordon," it is shown that a land warrant for the quantity of acres to which a captain was entitled was issued to the heirs at law of Garland Burnley, and to which Thomas Allen, print.
those only belonging to the continental line, and serving to the close of the war, or discharged by the order of Congress, were entitled.

From this testimony it is evident that Burnley was a captain in the Virginia line on continental establishment; that he served until after the new arrangement of the army, under the resolves of 1780, actually until June 1781, when he became a retiring officer, without resigning his commission, and always holding himself ready to obey orders; that he, thereby, became entitled to the half pay for life promised by the resolves of October, 1780, and consequently to the five years' full pay, granted in lieu thereof, by the resolution of March, 1783. This being unpaid, according to the testimony of the Third Auditor, a bill is reported for the relief of the petitioners.