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

REPORT:

The Committee on Revolutionary Claims, to which was referred the petition of Simon Summers, of the District of Columbia, report:

That the petitioner represents that he entered into the service of the United States in the war of the Revolution, and was appointed adjutant of the sixth Virginia regiment on continental establishment, in which capacity he served from near the commencement to the entire close of that war, with the exception of a small portion of time during which he was on furlough on account of ill health. He further represents that, though his grade in the line of the army was that of a lieutenant, yet as, by a resolution of Congress, he was entitled to the pay and rations of a captain, he conceives himself entitled to the commutation pay due to the latter grade of officers; and prays that Congress will allow him five years' full pay in commutation of half pay for life, either as a captain or a lieutenant, as in their judgment may seem right.

The transcript of a record obtained by the committee from the Commissioner of Pensions, duly authenticated and filed in this case, shows that the petitioner, Simon Summers, of the county of Alexandria, in the District of Columbia, was, on the 9th day of February, 1829, admitted to the benefit of the act of Congress of the 15th of May, 1828. This is conclusive to prove that, in the opinion of the officer charged with the execution of this law, the said Summers either continued in active service to the end of the war, or, being a supernumerary officer, was included in the provisions of the resolution of Congress of the 21st of October, 1780. In either event, the petitioner is entitled to such pay as a lieutenant, and not as a captain; of this, the resolution of Congress of the 11th February, 1781, is decisive. The committee, therefore, report a bill allowing the said petitioner five years' full pay as a lieutenant.