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 Leighton Yancy, report:

This case was examined by the Committee on Revolutionary Claims at the 1st session of the 24th Congress, and an unfavorable report made thereon. The committee believe that report to have been a proper one, and adopt it as part of this; believing that the relief asked ought not to be granted, for the reasons therein stated. This report may be found in the manuscript reports of the committee, page 89, 24th Congress 2d session.

The Committee on Revolutionary Claims, to which was referred the petition of the widow and heirs of Leighton Yancy, report:

That they had this case under consideration at the last session of Congress, and made a report thereupon; in the propriety of which they still concur, and which they adopt as their present report. It is as follows:

The Committee on Revolutionary Claims, to whom was referred the petition of the widow and heirs of Leighton Yancy, have had the same under their consideration, and report:

That the petitioners represent that Leighton Yancy was a captain in the continental line of the army of the Revolution, and, having served to the close of the war, was entitled to the commutation pay of an officer of that grade; that he was allowed and received the commutation pay of a lieutenant only; and pray that Congress will allow them the five years' full pay of a captain, deducting therefrom the five years' full pay of a lieutenant, formerly received by said Yancy.

In support of this claim, an act of the Virginia Legislature, passed the 12th of January, 1798, is relied on. The preamble of this act recites, "that during the late war Leighton Yancy served as a lieutenant in the first regiment of light dragoons, commanded by Colonel Theodore Bland, and that he afterwards became entitled to the rank of a captain; that, before he obtained a commission as such, the treaty of peace was concluded; in consequence of which, he has only received the bounty of land allowed..."
a lieutenant; and it is reasonable he should be allowed a bounty proportionate to his services." The enacting part of the act then directs the register of the land office to issue to the said Leighton Yancy a warrant for one thousand three hundred and thirty-four acres and one-third of an acre of land, it being the difference between the bounty allowed a lieutenant and that of a captain. This is all the evidence filed in the case, except an extract from the records of the executive department of Virginia, showing that Leighton Yancy was entitled to the proportion of land allowed a captain of the continental line for six months' service over six years.

This being the state of the case, the committee entertain no doubt that Leighton Yancy was not entitled to the commutation pay of a captain. The act above recited shows clearly that, whatever his services might have been, he never, during the revolutionary war, bore the commission of captain, and, by consequence, cannot have been a captain in fact. No supposed title to the rank of a captain can, in the opinion of the committee, constitute a captaincy without a commission.

The committee have therefore come to the following resolution:  
Resolved, That the prayer of the petitioners be rejected.