

FIRST PRESBYTERIAN CHURCH, YORKTOWN, NEW YORK.

[To accompany bill H. R. No. 441.]

JANUARY 18, 1838.

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

REPORT:

*The Committee on Revolutionary Claims, to which was referred the petition of the Trustees of the Presbyterian Church in Yorktown, in Westchester county, in the State of New York, have had the same under consideration, and report:*

That the said society, by their trustees, represent that, in the summer of 1779, a church, parsonage-house, and a storehouse therewith connected, belonging to the said society, were occupied by a detachment of the American militia, and used by them as depots for their arms and munitions; and that while they were so occupied, and because they were so occupied, they were burned by some British troops who at that time lay in the neighborhood; and pray Congress to indemnify them for the loss thus sustained.

By sundry depositions referred with the petition to the committee, it is clearly proved that, in June, 1779, the buildings aforesaid were occupied by a detachment of the American militia; and, in consequence of such occupation, were burned by a part of the British army that was then stationed in that neighborhood.

It appears, also, that the said society had existed from a period prior to the year 1740; but whether it had ever been incorporated before the year 1784, or not, the committee, from the evidence before them, are unable to determine. It was, however, incorporated by an act of the New York Legislature, in the year 1784, by the name and style of "The Corporation of the First Presbyterian Society, settled upon the plan of the church of Scotland, in Hanover."

It being clear that the church, parsonage, and storehouse aforesaid were burned by the enemy while in the occupation of the American militia, and for that cause alone, and the statute of limitations as applicable to revolutionary claims being now disregarded by Congress, the committee feel bound to decide, as well by conformity to precedent as by the principles of justice, that compensation should be made by Congress for the damage sustained by the destruction of those buildings.

The depositions in the case render it quite probable that the buildings, at the time of their destruction, were worth three thousand five hundred

dollars ; which sum the committee think ought to be allowed ; and with less hesitation, because they are not disposed to allow any interest upon the sum. They therefore report a bill, allowing to the trustees of the society aforesaid, for the use of said society, three thousand five hundred dollars.