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Robert McGuire

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H.R. Rep. No. 712, 26th Cong., 1st Sess. (1840)

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ROBERT MCGUIRE.

JULY 10, 1840.

Read, and laid upon the table.

Mr. RUSSELL, from the Committee of Claims, submitted the following

REPORT :

The Committee of Claims, to whom were referred the petition and documents of Robert McGuire, report :

The petitioner states that in September, 1812, he was draughted as a militiaman from Westmoreland county, Pennsylvania, in Captain John Williamson's company, and marched to Pittsburg, and thence to Dunlop's Plains, and thence to Fort Meigs, where the regiment to which he was attached joined the main army under command of General Harrison. In March, 1813, he, with about two hundred others, volunteered as a scouting party, under command of Major Ringland, to pursue a party of Indians who had killed and scalped a Lieutenant Walker, a short time before, near the camp. That while on duty as a spy, and at some distance from the party, he was sprung upon by a small party of the Indians, about thirty in number, and taken prisoner, and, after suffering much from the cruel treatment of the savages, was taken to Fort Malden and delivered over to Colonel Elliott, who conveyed him to General Proctor, through a number of doors and windings of the general's residence to his private apartment. That, when thus alone in his presence, General Proctor endeavored to ascertain from him the situation of the American army, as to number, and the position and location of the magazine ; to which he affected entire ignorance, and refused to give any intelligence. That the British general manifested a great deal of anger and ill-feeling, and ordered a vice into which the fingers of the petitioner were placed and screwed very hardly. That this brutal treatment was continued for nine days in succession, and the questions repeated, until his fingers were bursted, and he suffered exceedingly ; but he still refused to give any information whatever or to disclose any knowledge. That he sought and obtained means of conveying intelligence (through a deserter to the American army, as soon as he was satisfied of his sincerity) to General Harrison to remove the powder from the magazine, by which, as he believes, it was saved from the efforts of the British to blow up the magazine by means of hot balls.

The petitioner does not appear to found his claim upon any inability produced by wounds, or his sufferings, which must have been very considerable, but for his integrity and faithfulness in refusing to disclose any information to the enemy, under the cruelty and sufferings to which he was subjected for the purpose of extorting it from him. The facts set

forth by the petitioner appear to be fully sustained by the evidence, which certainly proves the petitioner a faithful soldier, a worthy man, and entitled fully to the gratitude and esteem of his countrymen; but your committee find no precedent, either in this country or any other, for a pecuniary compensation on the grounds claimed.

They, therefore, submit the following resolution:

Resolved, That the petitioner is not entitled to relief.

July 10, 1810.

REPORT

The Committee of Claims, appointed by the House of Representatives, in the year 1807, to inquire into the claims of the petitioner, have the honor to report, that they have examined the evidence in relation to the same, and find that the petitioner is entitled to relief. The evidence shows that the petitioner served in the British army during the late war, and was distinguished by his valor and conduct. He was wounded in the battle of the Clouds, and afterwards taken prisoner. He remained in the hands of the enemy for a considerable period, and was treated with great humanity. He was afterwards released, and returned to his country. The Committee are of opinion that the petitioner's services were meritorious, and that he is entitled to a pecuniary compensation on the grounds claimed. They therefore recommend that the House do please to pass a resolution in relation to the same.