

PRESBYTERIAN CHURCH, WHITE PLAINS, NEW YORK.

JANUARY 31, 1838.

Read, and laid upon the table.

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

REPORT :

*The Committee on Revolutionary Claims, to whom was referred the petition of James Varian and others, trustees of a Presbyterian church in White Plains, in the State of New York, have had the same under consideration, and report :*

That the petitionors represent, that, in the year 1776, shortly after the battle of "White Plains," a church or meeting-house, then belonging to a society of Presbyterians, and of which society, regularly kept up to the present day, they are trustees, was burned and totally destroyed under the following circumstances: "The said building was set on fire intentionally by an officer in the American line, of the grade of major, who set it on fire, as he alleged, to prevent it from falling into the hands of the British troops, and thereby furnish them with a place of shelter and defence, and a deposite for their munitions of war.

There are some depositions filed in the case, which prove the truth of the above statement; and disclose the fact that Orsbourn, a major, who burnt the church, was not the commandant at that station, but that a complaint had been lodged against him, before General Glover, for the wanton and unauthorized destruction of the church.

The committee have no hesitation in saying that the Government is in no way liable for the destruction of the church.

If the building had been in the actual occupation of the American troops, by an order from the commandant at that station, either as barracks or as a depot for munitions of war, and, in consequence of such occupation, it was burned, then the case would have been within the principle which has governed Congress in awarding indemnification; but, in the case under consideration, the act of setting fire to the building appears not only not to have been authorized by any competent authority, but to have been altogether wanton and unnecessary.

*Resolved*, therefore, as the opinion of this committee, that the prayer of the petitioners ought not to be granted.

