



CONGRESS.

PHILADELPHIA.

HOUSE OF REPRESENTATIVES,
TUESDAY, JANUARY 10, 1792.

Continuation of the Debate on the Petition of Catharine Greene, widow of the late Gen. Greene.

GENERAL SUMPTER said, with respect to the resolution as it now stands, he should always feel himself obliged to oppose it—nothing that has fallen from the gentleman over the way (General Wayne) has convinced me that the measure is proper or just. It was necessary, he said, to be cautious in the manner of discussing a matter of so much delicacy—he did not rise to make any pointed objections at present that can in any degree injure the reputation of the officer whose abilities he respected, or to hurt the feelings of his family or connections. I suppose, said he, that no gentleman will decide in favor of the resolution without examining the merits of the case: the committee will have that information which they shall deem to be requisite on the occasion. I am sorry to differ in opinion with the gentleman from Georgia, and am therefore disposed to make sacrifices of my own feelings of past injuries, and will not suffer them to warp or bias my judgment, but will endeavor to decide in conformity with the opinions of the people the state of South Carolina, and in particular of the district which I have the honor to represent. In going into the investigation of this matter, I will give my reasons why I do not think the country, although in extreme distress, was in that deplorable situation which has been represented; neither was its credit reduced so low but that relief might have been obtained, and that so small an army might have been accommodated had a proper application been made in time to the government.—The gentleman must therefore be mistaken in stating those circumstances, for if the proper documents be examined, it will appear that the army received very ample supplies from the same source, some months previous to the contract made by Mr. Banks—which must have been in November, or early in December, and previous to the evacuation of Charleston. Whether it was better to adopt the means used by Gen. Greene, or those within the power of the government, I shall not pretend to determine, but I have no doubt but that the government possessed both the means and the inclination.

The contract was first made by Banks in November or December, and Gen. Greene did not become the guarantee until the April following—whether there were any reasons for preferring this mode to that of an application to government, will perhaps appear in the course of the investigation.

Mr. Chairman, this contract has been considered to have operated rather as a misfortune, although it may have afforded a temporary relief: it was the occasion of much complaint, vexation and distrust, rather than of conciliation: and that his discontent ran through the army is within the knowledge of several officers whose names could be mentioned.

It is therefore necessary to bring the matter into the full view of the committee, and to have recourse to the files of the public offices, before we agree to the resolution on the table. At the same time it is my sincere wish to render justice to the family of the deceased in every reasonable accommodation; but it does not appear to me that the family are reduced to that disagreeable situation which has been represented.—The large grants that have been made by the states of Georgia, North and South Carolina, are still in the possession of the heirs of the deceased, and I have been informed that a gentleman offered 30,000 dollars for that granted by N. Carolina, so late as last summer—neither have I heard that any distress has been levied upon any of these estates, or that they are so much affected in reality, but that the claims made against them are rather of a nominal and visionary nature.—But admitting that General Greene was security for the United States, and that the operation had been beneficial, (which by the bye I deny) does it appear that executions have been levied to any considerable amount, or to such an extent as to justify the present application?—To me it does not appear this has been the case, neither do I believe that the estate has been reduced in the manner represented; and whilst I say it, I honestly and sincerely hope it; under which impression I can never accede to the resolution on the table.

Mr. Wadsworth—The gentleman last up has said many things to me utterly unintelligible,

and others which directly militate with what has been said by the gentleman from Georgia—He has, however, declared that no real or supposed personal injury shall influence him in giving his opinion or vote—I hope, sir, he will not now feel or resent those real or supposed injuries—I do believe they are not real—and from my long and intimate acquaintance with Gen. Greene, I had good opportunity to know him—a better man I never did know—that he had enemies is not to be wondered at—the nature of his command to the southward was important, critical and difficult, and he might be constrained to do things that necessity only would justify—if he has injured any man he has atoned for it—neither the tongue or pen of malice have been able to affix a stigma on his character—If I ever knew a man whose heart was pure and without guile, it was Gen. Greene—yet he had enemies—no man deserved them so little—more honest fame is due to no man—and if his fortune is to be sacrificed, and his family beggared, it is a consolation that his good name will last forever.—Being one of his executors, I know something of his affairs, but it was with reluctance I rose, as my attachments to him and concern for his family, render it extremely difficult for me to enter on the subject.—The gentleman from South Carolina has told us he is acquainted with the affairs of the estates in the Carolinas, and has told us they are without any executions against them, the bonds on good credit, and the family in no danger of poverty, &c.—I can hardly allow, sir, that he is acquainted with the affairs of Gen. Greene, even in South Carolina and Georgia—but if he is, I will ask him if he does not know that all the negroes from the South Carolina estate are sold, and the land totally unproductive—that Mr. Rutledge has prevented executions from taking the Georgia estate by his personal interference—that all the estates in Rhode-Island and New-Jersey are sold—and that the hope of the justice we now ask for, has delayed the sale of all the rest—to satisfy his creditors—his southern creditors!

The proofs and documents alluded to by the gentleman, (Gen. Sumpter) have been before Congress for several years, and the friends and executors of Gen. Greene, have challenged his enemies in every part of the Union to disprove them—and I hope no delay will now take place—the business is fully before Congress—I hope justice will be done to the widow and orphans of the late Gen. Greene—and that the investigation will now be finished—his honest fame vindicated and established—and his family saved from the ruin that awaits them.

MONDAY, JANUARY 24.
Same Subject continued.

Col. Hartley, in support of General Wayne's motion, observed, I have paid some attention to the report and the documents referred to in it, as well as the objections made to the resolutions under consideration.

Many of the objections have been answered by gentlemen who were nearer the scene of action than myself: I shall strive to obviate others.

The mode of conducting our affairs in South Carolina, does not seem to have been agreeable to the gentleman opposite to me from that state (Gen. Sumpter) and he expresses his high disapprobation of many parts of it. When I disagree with that gentleman, I do it with great reluctance; for no one on this floor has a greater respect for him than myself.

In a hazardous and difficult situation, or in carrying on war, or even in great political questions, the best friends may differ in the mode of conducting the same; and it has too frequently happened, that such difference has tended to lessen the friendship which formerly existed. Upon the whole, our arms to the southward were crowned with success: we must presume the means generally used, were right.

If supplies could have been furnished by the state of South Carolina, it is a pity they were not granted. I say, it is possible Gen. Greene might have pursued a different mode to obtain cloathing and provision. He did not. He was of opinion, no other plans could have been successfully followed, but those which were adopted.

The idea of his being a partner with Banks and Co. seems to be given up by the opposition. The mere insinuation of Mr. Banks and some others, can have no influence against such a cloud of evidence and documents. These for the General are so strong, that they would work conviction upon almost the greatest infidel.

I shall barely advert to a part of them, as mentioned in the report, and on this head give a few observations of my own.

The application to the legislature of South Carolina, in order to create a competition. Had he been concerned as a partner, or intended to be so, no competition through that channel would have been proposed. If he was to be a partner, the more secret the transaction, the higher the advantage.

The bond of indemnity to General Greene. Oaths of Banks and Hunter.

Certificate from Major Forsyth. Nathaniel Pendleton's oath. Charles C. Pinckney's oath (now Governor of South-Carolina) and the certificates of the two Chancellors of South-Carolina, who were both high in the executive, when these transactions should have happened.

Besides, sir, if we consider how many partners there were concerned with Banks in the different transactions; had General Greene been one of the Company, it must long since have been manifested to the world. The secret could not have been kept; nor can we possibly think, that Gen. Greene (who was undoubtedly a man of understanding) would have expressed himself in the manner he has done, in the close of his letter from Newport, dated the 24th of August, 1785, had he been a partner. He says there, "Thus have I given your Excellency a short narration of the origin and situation of this matter, and have only to add on this subject, that I never held any commercial connection with the company, other than what concerned the public, either directly or indirectly, or ever received one farthing profit or emolument, or the promise of any one from them; and my bond of indemnity expressly declares that I have no interest, connection or concern in the debts for which I became bound, all which I am willing to verify on oath."

Could he pledge his honor, his reputation, had he been guilty of an untruth? No, it is impossible! nature cannot credit it. He would have been silent had he been a culprit, and not have challenged the world, as the power of detection would have laid with so many, and the shaft of envy always ready.—I hope every man must be satisfied that the General was no partner.

The great points of contest before the committee seem now to be,

1st. Did the General enter into these engagements out of personal regard to individuals, without a view to the public interest?

2dly. Was not the good of the public his principal object?

3dly. Under all circumstances, should not his estate be indemnified?

As to the first, I cannot think that the General, out of mere personal regard to individuals, without a view to the public good, would have been bail. He had been esteemed a man of prudence, and was not a person of large fortune. How would he embarrass his family and property in such engagements? Who, under mere motives of friendship, would have done so? The sum was too large—he had no interest. He got no goods or money for himself. He might have had a favorable opinion of some of the company, but his responsibility was become necessary with a view to the public good.

As to the second, public good must have been his principal object. The contracts before made would not have been carried into execution, without the aid of the contract, for which the indemnity was made in April 1783. A great many articles were absolutely necessary to the army—they were connected with others—the necessities could not at that critical period, or for the moment, be obtained elsewhere. The merchants, as I understand, insisted upon two conditions before they would deliver the goods—1st, that all the goods should go together—2d, that the commanding officer should become security.

There was a necessity for an additional capital, to furnish the means for supporting the army; and as most of the goods were useful and necessary, the residue might be disposed of to the best advantage, and the money arising from them be applied towards payment of the debt.

Public necessity and the state of things would oblige the General to agree to the first condition. The compliance with the second condition became a necessary consequence.

The General's letter from Newport, and Gen. Wayne's oath, Nathaniel Pendleton's oath, and other evidence, prove the situation of the army.

As to the third point, should not his estate be indemnified?—Through his zeal for the public good, he has unfortunately involved his estate in difficulty, whatever the conduct of the company might be. The creditors were not to be affected either by the fraud or failure of Banks and the purchasers. General Greene was liable.

The General, when he hears of misconduct, does all he can to save and indemnify himself, and through him the United States securities were taken in as ample a manner as they could be obtained from the delinquents; and General Greene never wished to call upon the public, until every other means failed. So late as the year 1785 he had still hopes there would be no loss, but then he found the danger; a sense of duty obliged him to come forward to save himself and family, to ask the protection of the public, to indemnify him from a debt that he had contracted to save an army from mutiny and disbanding; to protect a country which otherwise would have been exposed. Many exertions had he to make to feed the hungry and cover the naked: were not these for the public good, and shall his private property suffer? Shall his family be reduced to beggary, be stripped of their