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Report : Petition of C. Thomas

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1885.—Ordered to be printed.

Mr. CULLOM, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 2316.]

The Committee on Pensions, to whom was referred the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas, having considered the same, beg leave to report it back with recommendation that it be amended by inserting the word "fifty" after the words "the sum of" in the eleventh line of said bill, so that it shall provide for the payment to Mrs. Cordelia Brainerd Thomas of the sum of fifty dollars each month after the passage of the act, during her widowhood.

Mrs. Thomas is the widow of the late Rev. Dr. E. Thomas, a divine well known and conspicuous in the Methodist Episcopal Church for his learning, piety, ability, and especially his zeal in all philanthropic works. There was, perhaps, no man on the Pacific coast who stood higher in the church or the estimation of men generally than Dr. Thomas, whose life was one continued labor in his high calling.

When, in the early winter of 1873, the Government decided to enter into negotiations with the Modoc Indians with a view to the cessation of hostilities, and, if possible, an equitable harmonizing of the differences that brought on what is known as the Modoc war, Dr. Thomas was selected by the Secretary of the Interior, upon the recommendation of Mr. Sargent, then a Senator from California, as a member of the commission of peace to treat with the said Indians. The place or appointment was not sought by Dr. Thomas nor by his friends for him; but he was recommended at the request of the Government because of his high character as a Christian and philanthropist; and the telegram which ratified him was doubtless the first intimation that he had of his selection for the performance of such an important trust. He accepted the appointment and went to the discharge of the functions imposed upon him, as a matter of duty to which he was called by the Master to whose service he had consecrated his life; and in its performance and fulfillment he laid down that life.

The story of his death needs scarcely to be recounted here. While the peace commission, under the protection of a flag of truce, were in conference with the chiefs and leaders of the Modocs, without guard or protection, they were brutally and treacherously assaulted by the savages. General Canby and Dr. Thomas were slain outright; while Colonel Meacham, a third member of the commission, was pierced with wounds supposed to be mortal.

The telegram notifying Dr. Thomas of his appointment was dated March 19, 1873, and he was murdered on the 11th day of April, 1873, in the lava beds of Oregon. He died in the service of his country and while he was engaged in the patriotic performance of a duty which

sought him. His death was not less glorious than that of the soldier on the field of battle in the defense of the honor and tranquillity of his country.

Mrs. Thomas, the proposed beneficiary under this bill, is a woman of over seventy years of age. She is in destitute circumstances. Surely her few remaining years upon this earth ought to be made comfortable to her by the Government in the service of which her husband yielded up his life.

By the act of June 4, 1874, Mrs. Canby, whose husband, Gen. E. R. S. Canby, fell by the side of Dr. Thomas, was granted a pension of \$50 per month. Colonel Meacham was left for dead upon the field, but recovering subsequently, lived for several years. Shortly after her death, Mrs. Meacham, his widow, was granted a pension of like amount by the act of March 2, 1883. The committee can see no reason why there should be any distinction made in these cases.

Herewith are submitted a copy of Dr. Thomas's appointment and a letter from the Secretary of the Interior, with a statement from the Indian Office setting forth the facts with reference to this matter.

[Telegram.]

DEPARTMENT OF THE INTERIOR, *March 19, 1873.*

You have been appointed a member of the peace commission in place of Apple-gate, to treat with Modocs.

C. DELANO,
Secretary.

Rev. E. THOMAS,
Petaluma, Cal.

DEPARTMENT OF THE INTERIOR,
Washington, May 29, 1884.

SIR: I have the honor to acknowledge the receipt of your letter of 21st instant, requesting information in relation to the Rev. Dr. E. Thomas, who was killed by the Modoc Indians in California in 1873.

In reply, your attention is respectfully invited to the inclosed copy of report of 21st instant, with accompanying papers, from the office of Indian Affairs, to which your letter was referred.

It appears from these papers that Dr. Thomas was appointed a commissioner on the part of the Government to act with others similarly appointed to effect certain negotiations with the Modocs, and full information, so far as can be ascertained, will be found in the papers and in the documents referred to therein, which will be found in the files of Congress.

Very respectfully,

H. M. TELLER, *Secretary.*

Hon. J. F. MILLER, *United States Senate.*

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, May 27, 1884.

SIR: I have the honor to acknowledge the receipt, by Department reference of the 22d instant, for report, of a letter dated the 21st instant from Senator John F. Miller, requesting information as to the official status of Rev. E. Thomas at the time he was murdered by the Modoc Indians, in the year 1873. Senator Miller also desires a full statement in the premises and a synopsis of the causes which led to the appointment of the peace commission, &c.

In reply, I have the honor to say that, under date of March 19, 1873, the then Secretary of the Interior (Hon. C. Delano) notified by telegram (copy herewith) Rev. E. Thomas, at Petaluma, Cal., of his appointment as a member of the peace commission

to treat with the Modocs in place of Jesse Applegate, esq., who had been previously appointed as a member of the commission, and who was to receive as compensation for his services ten dollars (\$10) per day and actual expenses.

Mr. Thomas commenced his service in connection with the commission on the 20th of March, 1873, and performed the required duties up to April 11 of the same year, when he and General Canby were brutally murdered while engaged in a conference with Captain Jack, chief of the Modocs, and other representative men of the tribe.

In June, 1874, the administrator of the estate of Dr. Thomas (John R. Jarboe) was paid from the appropriation for fulfilling treaty with the Klamaths and Modocs the sum of \$257.10, being at the rate of \$10 per day for the time the deceased had served on the commission, including traveling instructions.

The instructions for the guidance of the peace commission (copy herewith) were prepared in this office by direction of the honorable Secretary, and were approved by the Department under date of February 5, 1873. These instructions set out in detail the objects to be attained by the commission and the plan to be followed in the prosecution of their labors; and also contains a concise statement of the questions in controversy between the Government and the Indians.

In connection with the causes which led to the Modoc war, I beg leave to refer to pages 12 to 14, inclusive, of the annual report of this office for the year 1873, and to the report of A. B. Meacham, chairman of the commission, which will be found on pages 74 to 82, inclusive, of the annual report aforesaid. In his report Mr. Meacham gives a full and graphic account of the proceedings had by the commission and details the circumstances attending the murder of Dr. Thomas.

In addition to the foregoing, I respectfully beg leave to refer to House Ex. Doc. No. 122, Forty-third Congress, first session, in which will be found copies of all the correspondence between the different departments of the Government and the peace commissioners during the war with the Modocs in Southern Oregon and Northern California during the years 1872 and 1873; also, copies of all the correspondence with and orders issued to the military authorities engaged in said war up to the period of the removal of said Modocs from the States of Oregon and California.

The aforesaid documents contain substantially all the information in possession of this office which relate to the troubles referred to.

In addition to the inclosures heretofore mentioned, I herewith respectfully return Senator Miller's letter, and also inclose a copy of this report.

Very respectfully, your obedient servant,

E. L. STEVENS,
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

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