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Hattie A. Phillips.

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Recommended Citation

S. Rep. No. 401, 55th Cong., 2nd Sess. (1897)

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HATTIE A. PHILLIPS.

DECEMBER 15, 1897.—Ordered to be printed.

MR. WARREN, from the Committee on Claims, submitted the following

REPORT.

[To accompany S. 2013.]

The Committee on Claims, to whom was referred Senate bill 2013, having carefully considered the same, report it back without amendment and recommend that it do pass.

The bill proposes to pay for certain valuable services rendered by John Phillips in 1866 in rescuing the garrison at Fort Phil Kearny, and also a full settlement of claims against the Government, amounting to \$5,785 for oxen, mules, and horses taken from said Phillips while engaged in hauling wood for the Government at Fort Fetterman in 1872. A part of this amount was allowed as an Indian depredation claim, passed upon by the Secretary of the Interior and reported to Congress in 1874, and afterwards passed favorably upon by the Court of Claims, but not paid because of a technicality regarding Mr. Phillips's naturalization papers.

The Committee on War Claims of the House of Representatives in the Fifty-fourth Congress recommended the passage of a bill precisely similar to this bill, and we copy the following from the House report:

[House Report No. 1913, Fifty-fourth Congress, first session.]

* * * In all the annals of heroism in the face of unusual dangers and difficulties on the American frontier or in the world, there are few that can exceed in gallantry, in heroism, in devotion, in self-sacrifice, and patriotism the ride made by John Phillips from Fort Phil Kearny, in December, 1866, to Fort Laramie, carrying dispatches which gave the first intelligence to the outside world of the terrible massacre near the former post, and which saved the lives of the people garrisoned there—men, women, and children—by starting reinforcements to their relief. On the 21st day of December, 1866, Fort Phil Kearny, commanded by Col. Henry B. Carrington, under the shadow of the Big Horn Mountains, over 200 miles from the nearest telegraph line, was the extreme outpost in that part of the Northwest. The savage Sioux, under Red Cloud, had been hovering in the vicinity of the post for some time, and had been last seen in large numbers on Tongue River, northeast of the fort.

On the 21st of December the Indians made an attack upon the wood train a few miles north of the fort. A detachment of troops under the command of Brevet Lieutenant-Colonel Fetterman, including two other officers and 78 men, and a number of civilians, made a dash from the fort for the purpose of protecting the wood train.

When some four miles from the fort they were surrounded by the Indians in overwhelming numbers, and every man of the detachment was killed. The heroism of their struggle for life can never be told, but the terrible slaughter which has since been confessed by the Indians of their braves, and the fact that the troops were only killed after their ammunition was exhausted, speaks eloquently of the horrible and bloody nature of the encounter. The triumphant and bloodthirsty Sioux, commanded by Red Cloud and outnumbering the garrison by twenty to one, had then surrounded and entirely invested the fort. An attack was hourly expected. It was understood that if the Indians were successful in taking the fort it meant death for the garrison and a worse fate for the women and children, who begged piteously to be placed in the powder house and blown up in the case of a successful attack by the Indians.

At this juncture, when brave men felt that the only possible hope for the garrison was in taking news of their beleaguement to the nearest outside post, and not a soldier could be found who would brave the attempt to break through the savages and ride to the nearest outpost, a distance of 225 miles, John Phillips, a scout and hunter, volunteered to take dispatches to Fort Laramie. Placing a few biscuits in his pockets, tying on his saddle a small quantity of feed for his horse, he left the post at midnight on the night succeeding the massacre and reached Fort Laramie with the dispatches five days later. The country across which he rode was absolutely uninhabited by white men, and the ground was covered with snow from 3 to 5 feet in depth; he had no food for himself or his horse other than the meager amount he took with him, and it was necessary for him to travel entirely by night for fear of hostile Indians. The weather was exceedingly cold, the thermometer reaching 20° below zero. When he delivered the dispatches at Fort Laramie, hardy frontiersman as he was, he fell in a dead faint. Immediately on receipt of the dispatches troops were forwarded from Fort Laramie and the garrison at Fort Phil Kearny was relieved. For this most remarkable act of heroism John Phillips has never in any way been paid by the General Government, the only payment made him being the sum of \$300, which was paid him for various scouting services.

In the years immediately following his heroic ride, John Phillips was employed in various capacities and engaged in business in connection with Government posts, and he was continually hunted and harassed by the Sioux, who always looked upon him as the man who had wrested from their grasp the garrison at Fort Phil Kearny. At one time he was lassoed by the Indians, in an attempt to capture him for the purpose of torture. At other times his cattle were shot down, undoubtedly through pure wantonness on the part of these Indian marauders. In 1872 John Phillips was engaged in hauling wood for the Government at Fort Fetterman, when a band of Indians, supposed to be Ogallala Sioux and Cheyennes, drove off and killed a considerable amount of stock belonging to him. The Sioux chief, Red Cloud, acknowledged this depredation, but insisted that the Indians belonged to another band than his. This claim was passed upon by the Court of Claims, and the evidence was overwhelming, including the evidence of army officers, Indian agents, special examiners, and others, and the Court of Claims allowed and entered judgment for the sum of \$2,210. (See House of Representatives Ex. Doc. No. 125, pp. 82 and 83, Forty-ninth Congress, first session.)

It subsequently transpired that at the time the above depredation occurred, John Phillips was not a fully naturalized citizen of the United States, and therefore the claim was not paid. As the court could not take into account the gallant and meritorious services to his country of this brave man, but could make its decision only on the finding of fact, the claim has never been recognized. Subsequently John Phillips became a fully naturalized citizen of the United States. Broken in health by the exposure and strain of his long and perilous ride, he died in the prime of life, leaving a widow and child in straitened circumstances. There is no question but that John Phillips suffered from Indian depredations other than those at Fort Fetterman, which was passed upon by the Court of Claims, and that the Indians held a grudge against him for his action in saving the Fort Phil Kearny garrison.

The following affidavits, among those before the committee, relate to John Phillips's heroic ride:

"Henry B. Carrington, United States Army, being duly sworn, makes oath and says: That on the 21st day of December, 1866, as colonel of the Eighteenth United States Infantry, and as commanding officer of the Rocky Mountain district, Military Department of the Platte, he found his whole district to be in a state of bitter war with the Indians occupying that country, and was constantly engaged in such warfare; that it became necessary to employ citizen scouts and messengers who were familiar with the country and with Indian methods.

"That on the 21st day of December, 1866, aforesaid, an action took place within 6 miles of Fort Phillip Kearny, which post was his headquarters, in which, surprised by Red Cloud, a Sioux chief, and his band of overwhelming numbers, 3 officers and 78 men were killed and mutilated in less than one hour; that several thousand Indians surrounded the post, rendering communication with Fort Laramie, the near-

est post having troops at disposal, impracticable; that the garrison was so small that no troops could be sent back for assistance; that only by the utmost care, all troops being on guard constantly, supported by five pieces of artillery, was the post itself preserved intact; that ammunition had been reduced to less than 20 rounds per man, and neither officers nor men believed it possible to venture through the surrounding Indian forces for help with any hope of success.

"At this juncture John Phillips, used to frontier life, the wiles of the Indians, and convinced that utter destruction awaited the command unless relief were promptly obtained, volunteered his services as dispatch bearer to Fort Laramie, 225 miles distant, through a hostile country, absolutely without inhabitants or the possibility of aid or supplies en route. Confidential dispatches were entrusted to his care, with instructions how to meet emergencies, and during the night after the battle he started on his dangerous mission. Previous mail parties and another party of expert border scouts which left later were scalped, and their bodies and the mails were found on the ground where they were overpowered.

"Phillips, by riding nights and keeping under cover by day, safely reached a telegraph station 40 miles from Fort Laramie just before the Indians attacked and burned it, sent his dispatches, pushed on to Fort Laramie, and found that his dispatches had been received and troops were preparing to go to the relief of the endangered garrison.

"His heroism was without the promise of any special reward, but was executed with rare skill, patriotism, and success. His mission practically rescued the whole country from Indian outrage and brought to that section immediate relief.

"It is impossible to state more strongly the value of his services, which were never adequately requited; and affiant knows of no soldier of the Army whose services more absolutely demand recognition for the sake of his family than do those of the brave, modest, faithful John Phillips, since deceased, leaving his widow in a destitute condition.

"The heroism of Phillips had a peculiarly tender and noble aspect. Lieut. G. W. Grummond was among the massacred party, and his widow was the guest of the family of the affiant and greatly overwhelmed with sorrow, while several other ladies with their families were exposed to the threatened attack. Mrs. Grummond several years later became the wife of the affiant, and her statement of particulars, specially within her knowledge, is furnished for information of those in authority and the consideration of Congress.

"HENRY B. CARRINGTON, U. S. A."

"STATE OF MASSACHUSETTS, *Norfolk County*, ss:

"Before me, a notary public in and for said Norfolk County, personally appeared Henry B. Carrington, of the United States Army, who, being duly sworn, makes oath and says that the statements made in the above affidavit are made of his personal knowledge and are true.

"In witness whereof I have hereunto set my hand and seal notarial this 5th day of June, A. D. 1894.

"[SEAL.]

"HENRY S. BRUNTON, *Notary Public*."

A copy of the dispatch carried by Phillips follows. The official copy can be seen on page 3, Senate Ex. Doc. No. 15, Thirty-ninth Congress, second session.

[Copy of telegram to General Cooke, received at office of United States Military Telegraph, War Department, Washington, D. C., December 26, 1866, 3.15 p. m.]

FORT PHIL KEARNY, DAK. T., *December 21, 1866.*

(By courier to Fort Laramie, December 2.)

Do send me reinforcements forthwith. Expedition now with my force is impossible. I risk everything but the post and its store. I venture as much as anyone can, but I have had to-day a fight unexampled in Indian warfare. My loss is 94 killed. I have recovered 49 bodies, and 35 more are to be brought in in the morning that have been found. Among the killed are Brevet Lieutenant-Colonel Fetterman, Capt. F. H. Brown, and Lieutenant Grummond.

The Indians engaged were nearly 3,000, being apparently the force reported as on Tongue River in my dispatches of the 5th of November and subsequent thereto. This line, so important, can and must be held. It will take four times the force in the spring to reopen if it be broken up this winter. I heard nothing of my arms that left Leavenworth September 15; additional cavalry ordered to join have not reported their arrival; would have saved us much loss to-day; the Indians lost beyond all precedent. I need prompt reinforcements and repeating arms. I am sure to have, as before reported, an active winter, and must have men and arms; every officer of this battalion should join it to-day. I have every teamster on duty and, at best, 119 left at the post. I hardly need urge this matter; it speaks for itself. Give me two

companies of cavalry, at least, forthwith, well armed, or four companies of infantry, exclusive of what I need at Reno and Fort Smith. I did not overestimate my early application; a single company, promptly, will save the line; but our killed show that any remissness will result in mutilation and butchery beyond precedent. No such mutilation as that to-day is on record. Depend on it that this post will be held so long as a round or man is left. Promptness is the vital thing. Give me officers and men. Only the new Spencer arms should be sent. The Indians desperate and they spare none.

HENRY B. CARRINGTON,
Colonel Eighteenth Infantry, Commanding.

Gen. U. S. GRANT.

Copy forwarded to Secretary 27th December.
Official.

E. S. PARKER,
Colonel and Aid-de-Camp.

Frances C. Carrington, resident of Hyde Park, State of Massachusetts, being duly sworn, makes oath and says:

"That on the 21st day of December, A. D. 1866, her husband, Lieut. George W. Grummond, of the Eighteenth United States Infantry, was killed in an action with Sioux Indians near Fort Philip Kearny, in what is now the State of Wyoming; that she was the guest of General Carrington's family when all the troops were rallied for defense of the fort, and families were concentrated for convenience of defense; that during that terrible night, when an attack in overwhelming numbers was constantly expected, John Phillips called to express his sympathy with her; that, overcome by his interest in her condition and the imminent danger of all concerned, and weeping with sorrow over her loss, he said: "If the General wishes, I will go as messenger if it costs me my life." He presented to affiant his wolf robe "to remember him by if he was never heard of again." His whole bearing was manly, brave, unselfish, self-sacrificing, and beyond all praise. He had been respected by all the officers for the quiet courage he always exhibited, and was the only man of the garrison who realized the peril of the garrison to the extent of daring to expose his own life in the desperate attempt to cut through the savage hordes that surrounded us, with any faith in the success of such a mission. He left with the good wishes of all, and it is the smallest possible reward that Congress can offer to provide a suitable support for his widow in her lone and destitute condition.

"FRANCES C. CARRINGTON."

"STATE OF MASSACHUSETTS, *County of Norfolk, ss:*

"Before me, a notary public in and for said Norfolk County, personally appeared Frances C. Carrington, wife of Gen. Henry B. Carrington, who, being duly sworn, makes oath and says that the statements made in the above affidavit are made of her personal knowledge and are true.

"In testimony whereof I have herenunto set my hand and seal notarial this 5th day of June, A. D. 1894.

"[SEAL.]

"HENRY S. BRUNTON, *Notary Public.*"

The name of John Phillips should be written among those heroic men the tales of whose heroism, devotion, and patriotism illumine the story of savage warfare on our frontier. The committee believe that the Government does tardy justice to his memory in allowing this claim. It simply reimburses the widow for property actually lost, with a very slight recognition for the gallant and heroic services rendered.