

COLONEL A. B. MEACHAM.

DECEMBER 20, 1878.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill H. R. 3357.]

The Committee of Claims, to whom was referred bill H. R. 3357, have had the same under consideration, and report thereon as follows :

In 1873, the claimant, A. B. Meacham, was appointed by the then Secretary of the Interior of the United States as a member of a commission to negotiate a treaty of peace with the Modoc Indians, located in the lava-beds of California, and who were at that time engaged in hostilities against the United States. Acting under official instructions, the said commission, of which the claimant was chairman, entered upon the discharge of its duties. An armistice was effected, and such negotiations between said commission on behalf of the United States, and Captain Jack, so called, on behalf of said Indians, were instituted. At a meeting on the 11th of April, 1873, of said commission and Modocs, in furtherance of said object, the Modocs attacked the commissioners, killing General Canby, who was in command of the United States troops at that place, and one Dr. Thomas, both of whom were members of said commission, and severely wounding the claimant, desisting only when they believed him dead, and stripping him of his clothing and partially scalping him. He received seven pistol and rifle shot wounds, five of which were very serious, and at the time regarded fatal. He has been under constant medical advice and treatment, and still suffers severely from the effects of them, and, in the opinion of his medical attendants, always will. The effect has been to totally incapacitate him from pursuing his usual or other occupation, excepting at intervals when he has engaged in writing and delivering lectures. The claimant with his family, consisting of his wife and three children, resided in the State of Oregon, where he was engaged in a lucrative and honorable business. He was twice selected as a Presidential elector from his State, and for several years was a superintendent of Indian affairs.

Your committee deem it immaterial for the purposes of this case to inquire as to the motives or reasons which actuated the Indians in making this deadly assault upon said commission. They were engaged in a most laudable mission, and gave no cause of offense. Whatever complaint or grievance the Indians might have against any one else, they could find none in the conduct or acts of said commission that would justify so treacherous and fatal an assault. The claimant received the injuries, from which he so severely suffers, in the line of duty, and whilst actually performing the directions of his government. Your committee

are of opinion that it would be but an act of simple justice that some reparation should be made to the claimant. It is a difficult matter in such cases to estimate or determine what would be a fair or proper amount to award, or what will compensate for the loss of health or life. Your committee, without expressing any conclusion on this point, are of opinion that the government can well afford to give the claimant the sum of \$3,500, and therefore report back said bill with an amendment, viz, in line 3, strike out the words "fifteen thousand" and insert in lieu thereof the words "three thousand five hundred"; and so amended, your committee recommend its passage.

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