



Nebraska History posts materials online for your personal use. Please remember that the contents of *Nebraska History* are copyrighted by the Nebraska State Historical Society (except for materials credited to other institutions). The NSHS retains its copyrights even to materials it posts on the web.

For permission to re-use materials or for photo ordering information, please see:

<http://www.nebraskahistory.org/magazine/permission.htm>

Nebraska State Historical Society members receive four issues of *Nebraska History* and four issues of *Nebraska History News* annually. For membership information, see:

<http://nebraskahistory.org/admin/members/index.htm>

Article Title: John Milton Thayer

Full Citation: Earl G Curtis, "John Milton Thayer," *Nebraska History* 28 (1947): 225-238

URL of article: <http://www.nebraskahistory.org/publish/publicat/history/full-text/NH1947JMThayerI.pdf>

Date: 4/25/2017

Article Summary: During his territorial days, General Thayer divided his time among military affairs, politics, the practice of law, freighting and farming. His service as the ranking military officer from Nebraska Territory throughout the Civil War became an important political asset later.

Additional sections of Curtis's biography of Thayer appeared in later issues of *Nebraska History*:

for Sections III-IV see <http://www.nebraskahistory.org/publish/publicat/history/full-text/NH1948JMThayerIII.pdf>

for Sections V-VII see <http://www.nebraskahistory.org/publish/publicat/history/full-text/NH1948JMThayerV.pdf>

Scroll Down for complete article.

Cataloging Information:

Names: John Milton Thayer, U S Grant

Nebraska Place Names: Omaha

Keywords: John Milton Thayer, Omaha Claim Club, Pawnee Indians, "Catfish War" (Sioux War of 1855), Territorial Council, S.B. No. 6 (slavery), Civil War, First Nebraska Regiment

John Milton Thayer

Earl G. Curtis

I

Early Life, 1820-61

John Milton Thayer was born January 24, 1820, at Bellingham, Norfolk County, Massachusetts. He spent his early life on a Massachusetts farm, helping with the work except during the winter months when he attended the Bellingham district school. Later, while a student at Brown University, Thayer taught in one of these New England district schools—a small one-roomed brick school house in South Bellingham—during the long vacations. He entered Brown University at Providence, Rhode Island in 1837, having taken the examinations in Cæsar, Virgil, Cicero, grammar, and algebra, for which he had been tutored by Rev. J. T. Massey of Bellingham and Rev. Calvin Newton of Waterville, Maine. Thayer's admission record states: "Permitted to recite one term."¹

John C. Seamwell of Bellingham, Massachusetts was given as Thayer's guardian, his father having died in 1833.

While at Brown Thayer roomed at University Hall. He received the B. S. degree in 1841, (being made an alumnus member of Phi Beta Kappa under date of 1871), having taken the prescribed classical course then offered.² His subjects, arranged as to importance in regard to the *number of grades* per subject, are: Greek 8; Latin 7; rhetoric 4; natural philosophy 4; composition 3; solid geometry and algebra 2; plane and spherical trigonometry 2; and the

¹Office of the Registrar, Brown University, Providence, R. I., to Earl G. Curtis, January 5, 1933. Ms., Nebraska State Historical Society.

²The Associated Alumni of Brown University (Graduate Records) to Earl G. Curtis, Ms., Nebraska State Historical Society.

following one each—American constitution, astronomy, Butler's analogy, chemistry, logic, plane geometry, analytical geometry, physiology, intellectual philosophy, and political economy.³

The root of the surname Thayer comes from the Anglo-Saxon language. Dr. Elisha Thayer, of Dedham, Massachusetts, reports the various spelling of the name: Thayer, Thear, Their, and Theyer.

Thomas Thayer, the immigrant ancestor of John Milton Thayer, was born in southeastern England in the Thames region. He was among the earliest immigrants to Massachusetts, arriving sometime before 1639, in which year he received a grant of 76 acres of land at Braintree. In 1640 he became a freeman. Thomas was a shoemaker by trade—skilled laborers of this class were in demand during the colonial days.⁴

The Thayers have been an armigerous family. John was a general in the Civil War; his father, Captain Elias Thayer II, was an officer in the war of 1812;⁵ and his grandfather, Lieutenant Elias Thayer, took part in the Revolutionary War.⁶

After Thayer's graduation from Brown in 1841, he entered the law office of the Hon. Isaac Davis, of Worcester,⁷ and was later admitted to the Worcester County bar. While engaged in his law pursuits he edited, for a short period, the *Worcester Magazine and Historical Journal*. The publication failed through lack of financial backing.

³*Idem*.

⁴*Encyclopedia of American Biography*, American Historical Society, New York, 1923, XIII, 235-6.

⁵*Record of Massachusetts Militia in War of 1812-'14*, Wright & Potter Printing Co., Boston, 1913, p. 216.

⁶*Massachusetts Soldiers and Sailors of the Revolutionary War*, Boston, 1907, xv, 528.

⁷*Brown Alumni Monthly* (Reprint) "John M. Thayer, '41, Soldier and Civilian," by J. Irving Manatt. This reprint was sent to the writer by John M. Thayer, Jr. and is on file in the office of the Nebraska State Historical Society. This sketch of his career was read by the General and corrections made before being printed. *Nebraska History*, V (1922), 43, states that Thayer studied law in the office of William Lincoln of Worcester. The point in question is of little significance.

Thayer had been out of school but a short while when he became a member of the 8th Regiment, 5th Brigade and 3rd Division of the Massachusetts Militia. The company to which Thayer belonged was known as "A Company of Light Infantry." On July 23, 1842, John was appointed 3rd Lieutenant, and on April 27, 1843, promoted to 2nd Lieutenant. Some time after this Thayer retired from the militia in order that he might give more time to his profession.⁸

On December 17, 1842, John was married to Mary Torrey Allen by her father, John Allen, a Baptist minister. The marriage took place at Groton, Massachusetts, the home of the Allens. Thayer reared his family in the Baptist faith, although he was not a member of any denomination. Many a New Englander forgot his particular affiliation crossing the Appalachian Mountains. A clean gun, a steady trigger finger, and a good eye seem to have been an essential part of the western denominational creed.

Thayer was granted an honorary M. A. degree from Columbian (Columbia) College in 1847. The merits upon which this degree was issued are unknown to the writer.⁹

Young Thayer had long intended coming West,¹⁰ and when the Kansas-Nebraska Territory was opened in 1854, he came out to Nebraska in June of the same year on a land spying trip. Thayer liked the country—if Nebraska ever wears "a nest of robins in her hair," it's in June—and he decided to locate at Omaha. He returned East, and in the fall of the same year came west with Mrs. Thayer. They arrived in Council Bluffs in September and remained there while making the necessary arrangements for living quarters at Omaha. While at Council Bluffs the Thayers became acquainted with the Mortons, the Millers,

⁸Herbert L. Adams, "General John Milton Thayer," *Nebraska History*, V(1922), 43.

⁹The son, John Milton, Jr. of Santa Monica, California (April 4, 1933), informed the writer that his father spent much of his time in Washington, prosecuting claims, and it is possible that some of his legal presentations warranted the granting of said degree. Thayer lived at Roxbury and Jamaica Plains (Boston suburbs) for a number of years.

¹⁰Nebraska State Historical Society, *Proceedings and Collections*, XV (1907), 119.

the Hanscoms, and the Cumings, all of whom were to play a part in the early history of Nebraska.

The Thayer home was one of the better homes of the times; it was plastered, clapboarded and shingled. In later years the General built a beautiful brick home on the north-east corner of 16th and Davenport streets.

Acting Governor Thomas D. Cuming appointed John M. Thayer in January, 1855, Brigadier General to command the 1st Brigade.¹¹ There is some evidence that Acting Governor Cuming may have appointed Thayer at the time of his Proclamation—December 23, 1854. The Nebraska Territorial Legislature, which met in 1854-55 for its first session, commissioned Thayer Brigadier General, February 7, 1855. During the second session of the 1st Territorial Legislature, an act was passed and approved on January 2, 1856, which organized Nebraska into one division of two brigades—North Platte and South Platte—with a division commander. Thayer was commissioned Major General by a joint session, January 24, 1856, and remained in the service for six years.

The General is reputed to have been one of the early presidents of the Omaha Claim Club. He was at least an active member, and probably did "loan" or permit the club to "requisition" government arms over which he had charge.¹² After Thayer became United States Senator he played a more important role on behalf of the club members by securing legislation which made their land titles good.

It was in the spring of 1855 that Thayer had his first "visit" with the Pawnee Chiefs. The Pawnees had been making more than their usual number of raids upon the stock of the Elkhorn Valley settlers, and Governor

¹¹Nebraska State Historical Society, *Transactions and Reports*, II (1887), 190.

¹²J. W. Savage and J. T. Bell, *History of Omaha*, New York, 1894, 167, or Alfred Sorenson, *The Story of Omaha*, Omaha, 1923. The Omaha Claim Club was organized for the purpose of protecting "squatter" titles and to make it possible to hold 320 acres rather than 160 acres as the law provided.

Izard, who had replaced Acting Governor Cuming, wanted Thayer to hold a council with the chief.

The Pawnee village was situated a short distance from the present site of Fremont, on a high bluff on the south bank of the Platte River. Thayer began preparations for the trip. He selected Mr. Samuel Allis, a former missionary to the Pawnees, as interpreter; O. D. Richardson, former Lieutenant Governor of Michigan, and John E. Allen, his brother-in-law, as his councilor aids. Mrs. Thayer played a prominent part in the preparations for the trip, because it was she who, according to the General's account,¹³ supplied the half dozen loaves of bread, the boiled whole ham, the six or seven mince pies, the "half bushel" of doughnuts, and enough ground coffee for several days. She also included a supply of condensed milk, pickles and other good things to eat that a New England-trained housewife of those days knew how to prepare.

The trip was made with a farm team and a light wagon. The party crossed the Elkhorn on a flatboat and came in due course of time, to the bank of the Platte River opposite the village. The interpreter signaled for some of the Indians to come across, and about twenty came. The team was unharnessed and Thayer, Richardson and Allis made ready to ride over to the village—one of the Indians furnished Mr. Allis with a pony. Mr. Allen was to remain with the provisions. The Indians led the way, but even so (perhaps one should say, "and due to this") Mr. Thayer's horse got into the quicksand, and the General had to get off and whip the horse out. This must have dampened the General's ardor for an Indian council, but he did not complain. Arriving safely upon the other bank, they were led into the heart of the village to a great council tent of amphitheater type where Thayer related his purpose. The greater chiefs sat in the center with the lesser chiefs back of them. Thayer was received with many "grunts" and a good handshake. The peace pipe was lighted and

¹³Nebraska State Historical Society, *Proceedings and Collections*, XV (1907), 119. In this article Thayer has given a vivid account of this "visit."

passed around. Afterwards, Thayer was asked to state his case more specifically; this he did. The chief said the deeds had been done by either the Poncas or the young "bucks," and that they could not control their young men. To this Thayer replied that if these young men were not held in check, he would return with a force of men. The chiefs indicated that they would try and stated that they wanted to live in peace with their white brothers. The lesser chiefs all grunted their approval, and the council was ended. Thayer says he was glad to get away from the council without being offered some Indian gruel, which he noticed being heated over a slow fire. Probably he had heard the story of the Indian squaw who told the trapper to "dip deep, puppy in the bottom" and felt he would not relish a bowl.

When Thayer and his party got back to their wagon, cold and hungry—more than ready for some of Mrs. Thayer's cooking—they found that Allen had been overpowered and their provisions stolen. It seems the same party that had escorted them across the river and to the village had returned during the council meeting and helped themselves. The Indians had not only taken all the food supplies but had found a quart bottle of whiskey which Thayer had brought with him from the East.

Thayer never forgot this Indian trickery. He had had his first lesson, and he would later make use of it. The little party reached the Elkhorn ferryman's place that evening after a hard drive, and there they sat down to a warm supper of fried prairie chicken. They remained with the ferryman overnight and made the rest of the homeward journey the following day. The council was successful, and to Thayer goes a large share of the credit.

On July 4th of the same year, 1853, the report was received at Omaha of the killing and scalping of two pioneers at Fontenelle. Cavalry and volunteer troops were hurried to the scene, but the Indians had escaped. Thayer established his headquarters at Fontenelle and conducted a campaign, which in its earliest stage consisted of scouting, later, hunting—not for Indians—and finally fishing.

The boys seemed to have more than their share of luck in landing the catfish, and for this reason the Sioux War of 1855 became known as the "Catfish War."

Thayer did not receive his written orders from Governor Izard until July 30. The companies were disbanded in September without having seen an Indian.¹⁴ There were other Indian campaigns during the years of 1856, '57, and '58 but none of importance until the Pawnee War of 1859.¹⁵

The Pawnees had been marauding the Platte and Elkhorn River country and the settlers were calling on the Governor (Governor Black) for aid. An urgent call came on July 4th while the Governor was attending a celebration at Nebraska City. Secretary of the Territory, J. Sterling Morton, gave orders for General Thayer to leave at once with the Omaha Light Artillery and to report conditions. Thayer, in reporting, stated that vigorous measures would be required before peace could be restored. Lieutenant Robertson and his dragoons from Nebraska City joined Thayer, and their combined force consisted of about two hundred fighting men and one piece of artillery.

The force proceeded slowly because of the lack of a military road and the hot weather. Even so, Thayer says they made about two miles to the Indians' one, and thus overtook them in about five days. Thayer learned from an Omaha chief, whose lodge they passed on the fourth day, that the Pawnees had been joined by Omahas and Poncas and that the combined force was about five thousand of which fourteen or fifteen hundred were fighting men. The old chief said the Indians had planned to camp about seven or eight miles farther on. With this information, plus the old chief and his squaw—the General was taking no chances on the chief getting information to his people—Thayer proceeded a few miles and camped for the night.

The order was given to break camp at about three o'clock in the morning and to proceed cautiously in order

¹⁴Nebraska State Historical Society, *Transactions and Reports*, II (1887), 281.

¹⁵*Ibid.*, II (1887); 181-185 III (1892), 279-286. *Omaha Daily Bee*, February 17, 1890, also gives a good account of the same.

that the Indians might be taken by surprise. The Indian camp (present site of Battle Creek) was reached at day-break and the entire force captured without a struggle. Only the squaws were about when the soldiers rode into sight, but the chiefs soon came running from their tents, waving white skins of one type or another—one chief came forth waving a small American flag and shouting, "No shoot. Me good Indian." The chief asked for a council and there informed Thayer that it was their bad young men who were causing the depredations. The General asked that these young men be turned over to him, and the chiefs complied. Seven were given up, one so badly wounded that he soon died. The wound had been received in a skirmish at West Point.

The expedition required about three weeks and was a complete success. Thayer was later called to testify before the territorial legislature in regard to the use of horses and supplies belonging to an Omaha concern and used in this expedition.

This was Thayer's last major Indian struggle in Nebraska. Similar experiences with the Indians were repeated while he was Governor of the Territory of Wyoming, 1875-79. General Thayer held the distinction of having been the first Brigadier General and first Major General of the Nebraska Territory.

From this time on, until the outbreak of the Civil War, we find General Thayer giving more of his time to politics. He had tried for a seat in the territorial house in 1855, but failed. In 1857, he was an unsuccessful candidate for Congress; again in both 1859 and 1860 his name was placed before the nominating committee, but to no avail.¹⁶

Thayer was elected to the territorial council of Nebraska October 9, 1860, from Douglas County. The session opened December 3, 1860 and adjourned January 11, 1861. General Thayer presented his credentials on Monday, De-

¹⁶Nebraska State Historical Society, *Proceedings and Collections*, Second Series, II (1898), 267-78.

ember 3, and became an active member of the Territorial Council as soon as they were accepted.

Let us note Thayer's activity during his first week as a legislator. On Monday, December 3, he moved that a committee of three be appointed to inform the House that the Council was permanently organized. Having proposed the above, he was made one of the committee, a courtesy usually followed. Tuesday, December 4, he was appointed on a committee of two to inquire of the Secretary of the Territory in regard to arrangements for paper and stamps. Wednesday, December 5, gave notice of a Bill—Ferry Charter. Thursday, December 6, moved that a committee of two be appointed to confer with a like committee from the House in regard to distribution of newspapers—appointed to same. Friday, December 6, introduced S. B. No. 6, "An act to abolish slavery and involuntary servitude in Nebraska." Read first time.¹⁷

Thayer kept just such a pace throughout the entire session—getting appointments to special committees or taking the chair for Committee of the Whole discussions. He was made a member of the following standing committees: Military Affairs, Territorial Library, and Enrolled and Engrossed Bills. Thayer was named first on each of these committees, which would indicate that he was chairman.

During the session Thayer's S. B. No. 6 (slavery) gave way to H. F. No. 3, which was identical and which had already passed the House. Thayer became the sponsor of H. F. No. 3, and the same was passed December 26th (ayes 10, nays 3).¹⁸ On December 28th, "An act to incorporate the Baptist Church of Cuming City" was passed. This was C. B. No. 18 and had been introduced by Thayer on December 11th.¹⁹ He also gave notice of bills for a registry law, reduction of interest on delinquent taxes to 10%,

¹⁷*Nebraska Territorial Council Journal*, 7-8-9 Sessions, 1860-64 pp. 32, 34, 35 and 38 respectively.

¹⁸*Nebraska Territorial Council Journal*, 7-8-9 Sessions, 1860-64, p. 67.

¹⁹*Ibid.*, p. 43.

regulation of term of the Omaha District Court, and prevention of election frauds, all of which were either lost in the Council or failed to return from the committee.

An interesting "affair" during the session was the expulsion of T. H. Robertson from the bar of the Council. It is interesting to note that Thayer voted to permit Robertson to remain.²⁰ It was at the close of this session, January 11, 1861, that Thayer was questioned in regard to horses and supplies received from King & Wood, during the Pawnee War, 1859.²¹

The General professed to be a farmer during his territorial days, but it seems his time was divided among military affairs, politics, law practice (he stated on the witness stand that he aided George Richardson in the practice of law in Omaha),²² freighting between Omaha and Denver, and farming. Knowing his military zeal and his ardor for rights of the negroes, one is not surprised to find him among the first to volunteer his service to the Union.

II

The Civil War offered a field for the military talent and training such as Thayer possessed. He immediately applied to the Secretary of War, asking that one regiment be assigned to Nebraska. The request was granted and Thayer brought the first Nebraska Regiment up to its quota—1,000 men.

This First Nebraska Regiment was fully organized and mustered into the service of the United States by companies as an infantry regiment (later, November 6, 1863, by order of Secretary of War, it was organized into a cavalry regi-

²⁰It was this same T. H. Robertson, editor of the *Nebraskian*, with whom Thayer had had trouble in 1859. Each had called the other "names" and printed hand bills defaming the other. Thayer was challenged to mortal combat by Robertson, but Robertson wanted Captain W. E. Moore to represent him against Thayer. The affair was finally quieted. See Savage and Bell, *op. cit.*, 167, for a full account.

²¹*Nebraska Territorial Council Journal*, 5-6-7 Sessions, p. 247.

²²Nebraska State Historical Society, *Transactions and Reports*, IV (1892), 217.

ment) and on the 30th day of July, 1861, with Colonel John M. Thayer in command, embarked at Omaha for St. Joseph, Missouri.

Thayer had enlisted as a colonel at Omaha on June 13, 1861 and had been commissioned on the same day. He was mustered in June 15, 1861.²³ The battalion left St. Joseph August 8th, arriving at St. Louis on the 11th, where it reported to General Fremont. The regiment was sent on to reinforce General Grant, who was holding Pilot Knob. Thayer reported to Grant in the latter's "farm-house" quarters—Grant was quietly smoking his clay pipe when Thayer came in—and from that time until Grant's death, the two were fast friends. Thayer served under Grant's command for two years. There was little important fighting in the Missouri district during the winter of 1861-2, and Thayer's division was transferred to Tennessee early in February. It was in this region, under the command of Brigadier General U. S. Grant, and in 3rd Division, in charge of Brigadier General Lew Wallace, that Colonel Thayer first won recognition.

It seems the Union soldiers were retreating in somewhat disorderly fashion, having exhausted their supply of ammunition, and it became Thayer's duty to wedge or angle his troops in between the retreating Union forces and the advancing rebels. This was certainly being subjected to the supreme test at the earliest state of affairs and called for cool and steady generalship. Let us take the words of Lew Wallace for a description of Thayer's conduct: "To the promptness and courage of Colonel Thayer, commanding Third Brigade, in the execution of my orders on the occasion, I attribute in a large degree the repulse of the enemy in their attack upon my position about 10:30 or 11:00 o'clock in the morning. There can be no question about the excellence of his conduct during that fierce trial."²⁴ Again at the Battle of Pittsburg Landing or Shiloh,

²³*Roster of Nebraska Volunteers, 1861-1869*, p. 4.

²⁴*Official Records of the Union and Confederate Armies in the War of Rebellion, Series I., Vol. VII, Page 169*—Report of Lew Wallace in regard to Fort Donelson, February 12-16, 1862.

April 6-7, we find Thayer distinguishing himself and his brigade. He instructed his men to lie down when not engaged and to fire from either a kneeling or prone position, as much as possible, and to take advantage of the lay of the land whenever it could be done. Major General Lew Wallace, in reporting the Battle of Pittsburg Landing, said the 58th Ohio and the 23rd Indiana proved themselves fit comrades in battle with the noble First Nebraska. He spoke of Thayer "pushing on" and of his (Thayer's) conduct as being "beyond the praise of words. Ohio, Indiana, Missouri and Nebraska will be proud of the steadfast Third Division, and so am I."²⁵

Mrs. Thayer, on her way to Foxboro, Massachusetts with the children and stopping to visit with her husband, watched the shells from this battle drop into the water some distance from her transport. It was some time after this battle that Thayer was suggested for promotion due to bravery at both Fort Donelson and Shiloh. He was made Brigadier General October 4, 1862.

In December of 1862, we find Thayer in the Yazoo country, at the head of the 2nd Brigade under Commanding General Steel. W. T. Sherman was the Major General. At Chickasaw, Thayer had all of his regiments diverted except one, due to a mistake of General Morgan. Thayer continued with this one regiment, determined to occupy the position assigned to him. The number of killed, wounded or missing was 111 for this one regiment. Let us note some of Morgan's report: "I again express my profound acknowledgements to Brigadier Generals Blair and Thayer . . . for efficient service rendered me." Steel says, "troops that I directed to the right, it seems, did not get across the bayou, but General Thayer went gallantly on—instead of his being a support to the storming party, he was soon in advance and entered the enemy's second line of rifle pits nearly as soon as any."

At the taking of Arkansas Post, General Thayer had

²⁵*Official Records of the Union and Confederate Armies in the War of Rebellion*, Series I, X, Part 1, 102.

his horse shot from under him, but continued on foot.

On February 5, 1863, Thayer sat as President of a general court-martial at Young's Point, Louisiana. Thomas W. Knox, news reporter and camp follower, was being tried for giving information incorrectly to newspapers. He was judged guilty. Later, President Lincoln sent a "To Whom it May Concern" letter, in which he said the offense seemed technical rather than willful, and asked that the judgment be revoked with Grant's approval. Grant would not approve the request unless Sherman, against whom Knox had made some charges, gave his consent. Sherman refused.

Later, Thayer was assigned to command the Army of the Frontier, with headquarters at Fort Smith. He successfully defended the fort and commanded a division in the Battle of Jenkin's Ferry. Grant, in writing his memoirs, gives credit to Thayer for his services at Fort Donelson.²⁶

During the winter of 1864-65, Mrs. Thayer and John M., Jr. spent the winter with the General at Fort Smith. Mrs. Thayer and her small son made the journey from Foxboro to Little Rock, Arkansas, where General Thayer joined them—he being accompanied by an escort from Fort Smith. In making the trip through the Arkansas Mountains, they were caught in a terrific wind storm. Mrs. Thayer and John M., Jr. rode in a canvas-covered ambulance—Mrs. Thayer having become ill on the trip south—while the General and an orderly rode on either side and kept it from blowing over. John M., Jr. says they "passed a pleasant winter" at the fort.

In March, 1865, Thayer was breveted Major General of the Volunteers, for brave and efficient services. On July 19, 1865, he resigned as Brigadier General and journeyed east to Foxboro, where he could be with his family. Later they returned to their home in Nebraska.

It is enough to say that General Thayer was a good soldier, that he was considerate of those under his command, and that he knew the meaning of the war. In later

²⁶U. S. Grant, *Personal Memoirs*, New York, 1886, pp. 180-181.

life he chose to remain with the private soldier organizations rather than associate himself with the more select officers' group.

He started in the Civil War as the ranking military officer from Nebraska territory, and he retained that distinction throughout the struggle. Since Nebraska was settled in a large measure by veterans who came west to homestead, this military distinction became a political asset of no mean significance.

[To be continued]