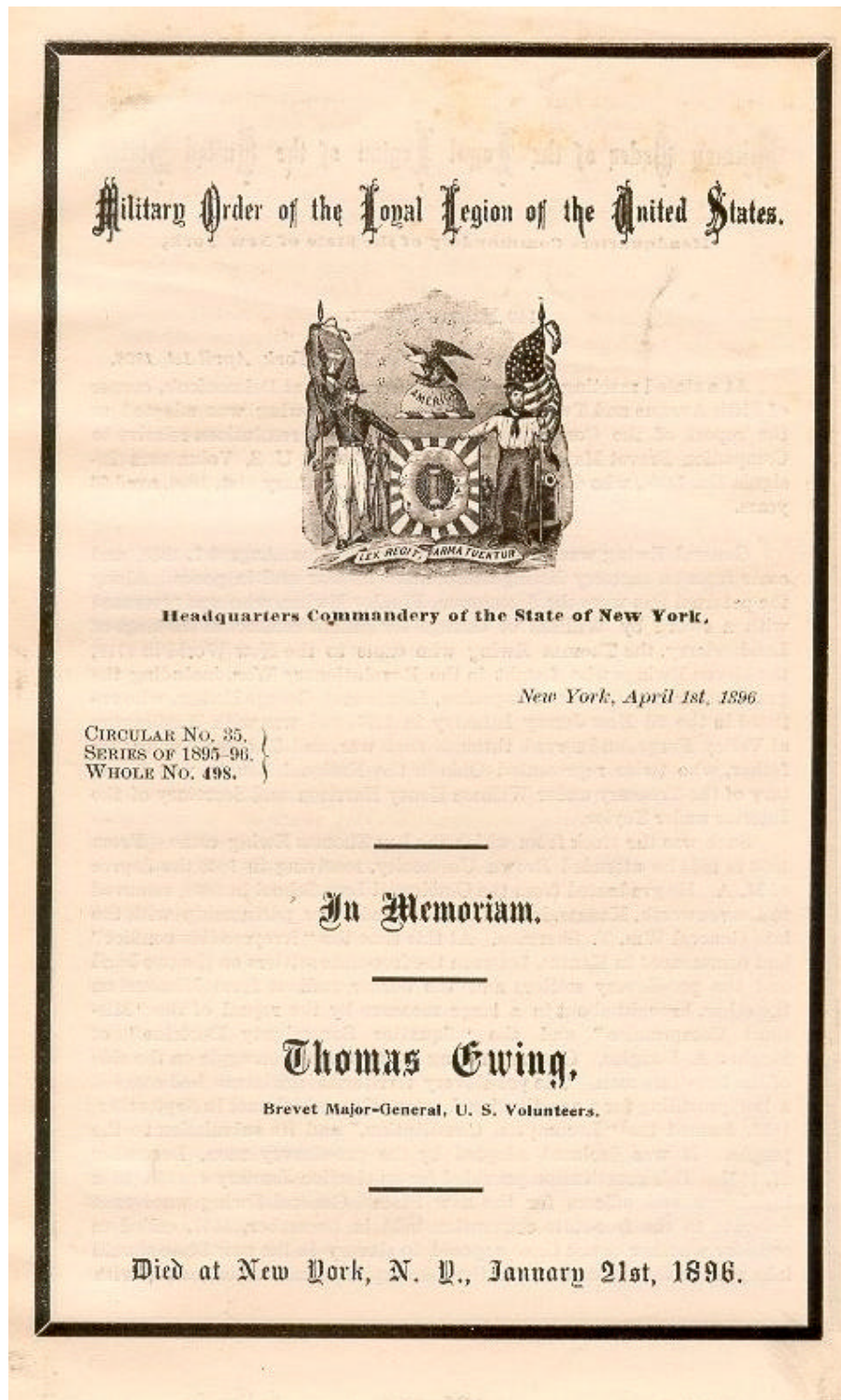


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# Military Order of the Royal Legion of the United States,

Headquarters Commandery of the State of New York,

140 NASSAU STREET.

*New York, April 1st, 1896.*

At a stated meeting of this Commandery, held at Delmonico's, corner of Fifth Avenue and Twenty-sixth Street, the following was adopted as the report of the Committee appointed to draft resolutions relative to Companion Brevet Major-General THOMAS EWING, U. S. Volunteers (Insignia No. 7459), who died at New York, N. Y., January 21st, 1896, aged 66 years.

## REPORT.

General Ewing was born at Lancaster, Ohio, on August 7, 1829, and came from an ancestry distinguished alike in war and in peace. Along the paternal line were the Scotchmen, Findley Ewing, who was presented with a sword by William of Orange for gallant conduct at the siege of Londonderry, the Thomas Ewing who came to the New World in 1718, the eleven Ewings who fought in the Revolutionary War, including the grandfather of our late Companion, Lieutenant George Ewing, who enlisted in the 2d New Jersey Infantry in 1775, and was with Washington at Valley Forge, and served through that war, and Thomas Ewing, his father, who twice represented Ohio in the National Senate, was Secretary of the Treasury under William Henry Harrison and Secretary of the Interior under Taylor.

Such was the stock from which the boy Thomas Ewing came. From 1850 to 1854 he attended Brown University, receiving in 1860 the degree of M. A. He graduated from the Cincinnati Law School in 1855, removed to Leavenworth, Kansas, in 1856, and formed a law partnership with the late General Wm. T. Sherman. At this time the "irrepressible conflict" had commenced in Kansas, between the free-state settlers on the one hand and the pro-slavery settlers and the border ruffians from Missouri on the other, brought about in a large measure by the repeal of the "Missouri Compromise" and the "Squatter Sovereignty Doctrine" of Stephen A. Douglas. General Ewing went into the struggle on the side of the free-state men. The pro-slavery territorial legislature had enacted a law providing for a constitutional convention, which met in September, 1857, formed the "Lecompton Constitution," and its submission to the people. It was declared adopted by the pro-slavery men, December 21, 1857. This constitution provided for an election January 4, 1858, of a legislature and officers for the new State. General Ewing went as a delegate to the free-state convention held in December, 1857, called to consider whether or not those opposed to slavery in the new State should take part in the election under the Lecompton Constitution; and, with

others of the more moderate free-state members, he urged participation in the election; and, when outvoted in the convention, General Ewing, with only twelve others of the one hundred and twenty-nine members present, withdrew, organized and nominated a full State, legislative and county ticket for the whole territory, every man of whom was pledged, if elected, to vote for a new convention to frame a constitution forever prohibiting slavery in Kansas. Within the ten days before the election he and his associates canvassed every part of the territory, and in his work General Ewing spent every dollar he possessed or could borrow.

John Calhoun, Buchanan's Surveyor General, made a final effort to defeat the majority of free-state votes by declaring the success of the pro-slavery ticket. And he started for Washington to lay the Lecompton Constitution before Congress and secure the admission of Kansas as a slave State. General Ewing then procured the appointment of a committee from the free-state territorial legislature, of which he was the head, to investigate the frauds and forgeries of the pro-slavery men. The work of this committee resulted in the finding of the original election returns hid in a candle box under the wood pile connected with Surveyor Calhoun's office, the indictment of L. A. McLane, Calhoun's chief clerk, and his associates for forgery and conspiracy, and their flight. General Ewing then went to Washington with a memorial from the free-state legislature and the proofs of the fraudulent election conducted under cover of the United States authorities, and aroused such indignation throughout the country that Buchanan and his party in Congress were constrained to abandon the bill for the admission of Kansas under the Lecompton Constitution. Two years later Kansas was admitted as a free State—thanks to the courage and energy of Thomas Ewing.

At the first election under the new constitution he was chosen Chief Justice of the Supreme Court of Kansas. He brought to the position, though but thirty years of age, ripe scholarship, legal learning and a full knowledge of the many intricate questions growing out of the long struggle of the people of Kansas for free statehood.

When the War of the Rebellion broke out, Judge Ewing resigned from the Bench, recruited the Eleventh Kansas Infantry (subsequently the Eleventh Cavalry), and on September 15, 1862, was chosen its colonel. He served in the First Division of the Army of the Frontier, Department of Missouri, Arkansas and the Indian Territory, participating in the battles of Cane Hill, Prairie Grove and Van Buren. On March 13, 1863, he was promoted to Brigadier General of Volunteers, for gallant conduct at the battle of Prairie Grove. He commanded the District of the Border, comprising Kansas and the western portion of Missouri, from June, 1863, to February, 1864, and of Southeast Missouri in 1864. His service in this position was full of stirring incident, and was of inestimable value to the Union cause.

It was while he held this command that he issued the famous "Order No. 11," for which he was in some quarters severely criticised. Western Missouri was then overrun with bands of guerrillas and outlaws under Quantrill and other raiding chiefs from Mississippi, who were committing arson, murder and flagrant outrages on innocent men, women and children in Missouri and Kansas. These desperadoes were sheltered, encour-

aged and supported by the inhabitants in the border counties of Missouri, and in order to stop their devilish expeditions, General Ewing, on August 25, 1863, issued his "General Order No. 11," directing the removal of all the inhabitants of these counties within his district, except those living in and near the principal towns. The loyal people were to remove into these towns or to the military stations, or go to the interior of Kansas—all others were required to leave the district. All forage was to be brought into the stations or destroyed. The object was to cut off the aid and supplies which the guerrillas had habitually received from the disloyal people affected by the order.

Though the order was executed without unnecessary hardship, and under a liberal test of loyalty, it was very harshly criticised by secessionists and some Union men. But it had become a military necessity, and it immediately and almost wholly stopped the devilish expeditions, under the guise of military movements, at which it was aimed. At that time murder and rapine were the constant employments of the rebel bands referred to, and no Union citizen was safe beyond the Federal military posts.

The sympathizers with these outlaws had often been warned against harboring and furnishing supplies to these guerrilla bands, and had defied these warnings and persisted in their course with the full knowledge that their Union neighbors were being murdered or driven from their homes by these cutthroats.

General Ewing finally, with the concurrence of General Schofield, determined to remove all of these people who proved to be sympathizers with the rebels; and at the time had under consideration the issuing of an order for that purpose, when the cowardly and infamous massacre at Lawrence, Kansas, by Quantrill, of innocent men, women and children impelled General Ewing to issue his order at once in the form most effective to put a stop to this sort of butchery. It was a well considered and necessary order.

General Schofield in his official report, soon after the order was issued, says it was not done without the fullest examination and consideration by him; that it was not adopted hastily or as a consequence of the Lawrence massacre, and in his judgment it was wise and humane, and offered the first opportunity to the people in that section since the war began to openly show their attachment to the Union without fear of rebel vengeance. In a letter written since the war he says, "The responsibility of that order rests with President Lincoln, myself and General Ewing."

In September, 1864, the Confederate General Sterling Price, after long and careful preparation under the direction of the commander of the rebel trans-Mississippi Department, invaded Southeast Missouri from Arkansas with about 15,000 men, in three divisions, and constantly increasing his forces by recruits and conscriptions, advanced upon St. Louis, which was then defended by only a small garrison. The hope of rebels and the fear of the Unionists was that St. Louis might be captured, and the whole State of Missouri go over to the rebel government. At the urgent request of General Ewing, General Rosecrans, commanding the Department, reluctantly permitted him to leave St. Louis and take

command of Fort Davidson, near Pilot Knob, ninety miles from St. Louis, to make a stand there, and, if possible, delay Price until St. Louis could be reinforced and intrenched. In the fort were large supplies of ordnance and commissary and quartermaster stores, but the only men available were some odd companies from a few Missouri and Iowa regiments, some militia, the detailed soldiers and employes of the supply departments and the few remaining citizens, the whole not exceeding 1,100.

General Ewing reached Pilot Knob in the evening of September 26, only a few hours ahead of Price, and spent the night in organizing his incongruous command, and making dispositions to hold the fort. Price assaulted at daylight with one division, and later with two, aided by his artillery, which maintained a plunging fire from hillsides overlooking the fort, while he sent his third division to Mineral Point, in Ewing's rear, to cut the railroad, intending to capture the whole of Ewing's force. But this splendid soldier held his post with the most determined spirit for two days, successfully repulsing repeated assaults, and inflicting such loss upon the enemy that their dead and wounded found on the field actually exceeded in number the whole of his command. But he realized the precarious position of his brave little band, and under cover of night he evacuated the fort, blew up the magazines, and with all his men and field guns, marched toward Rolla, a fortified camp one hundred miles westward, fighting four days and nights with Price's third division on flank and rear. But he kept his command steadily in hand, and reached Rolla October 2, the survivors exhausted by the tremendous strain, and many wounded, but all heroes. He had delayed Price a full week, compelled him to abandon the attack upon St. Louis, and set a glorious example to the other Union soldiers who soon afterward defeated and routed Price, and drove him from the State.

General Ewing's loss in all the fighting, including the retreat, was 350 men, while Price's loss was fully 1,500.

General Rosecrans, in a special order issued October 6, 1864, says of this brilliant achievement: "With pride and pleasure the Commanding General notices the gallant conduct of Brigadier-General Thomas Ewing, Jr., and his command in the defense of Pilot Knob, and in the subsequent retreat to Rolla. With scarcely one thousand effective men they repulsed the attacks of Price's invading army and successfully retreated with their battery a distance of one hundred miles, in the face of a pursuing and assailing cavalry force of five times their number. General Ewing and his subordinates have deserved well of their country. Under such commanders Federal troops should always march to victory."

General Ewing resigned his commission February 23, 1865, at the close of the war in the West. On March 13, 1865, he was breveted Major General of Volunteers for meritorious conduct at Pilot Knob. After the war he resumed the practice of law, at Washington, with success. In 1870 he returned to Ohio, his native State, served as a member of the Constitutional Convention of 1873-74, and served from 1877 to 1881 with signal ability in Congress. In 1879 he was the Democratic candidate for Governor of the State. In 1882 he removed to New York City, where he

continued the practice of his profession, until the sad accident resulting in his death, January 21, 1896.

He was a man of strong brain and of wide culture and learning. He was eloquent, polished and forceful with tongue and pen. Of him it might justly be said, as was said of his father before him: "He was stately and superb. His speeches were as dignified as his person was erect and noble. He was like a Roman senator in the gravity of his discourse and the decorum of his style."

In nature and manner he was kindly, winning and courtly. He was clean and pure of life, honest in thought and deed. He was a lover of liberty and a friend of freedom. He was in close touch and sympathy with all the good and plain people of the land, and had quick comprehension and keen intuitions as to their motives, purposes and needs. He loved them, and all who knew him loved him. Of him, as of one of old, it may well be said, "The whole earth is the funeral monument of those who live a noble life; their epitaph is graven not on stone, but on the hearts of men."

*Therefore, Resolved*, That the New York Commandery of the Military Order of the Loyal Legion of the United States, by the death of Brevet Major-General Thomas Ewing, has lost a loved and noble Companion of the Order, a brave man, a brilliant officer, an able lawyer, a learned judge and a statesman eminent alike in the councils of the Nation and the States of his adoption.

*Resolved*, That this Commandery extend to his widow and children their profound and heartfelt sympathy in their great bereavement.

*Resolved*, That a copy of these resolutions, the report of the Committee, and the action of this Commandery thereon, be attested by the signature of the Recorder, and presented to the widow and family of the deceased Companion.

HENRY L. BURNETT, Brevet Brigadier-General, U. S. V.	} Committee.
JOSEPH POOL, Brevet Lieutenant-Colonel, U. S. V.	
WILLIAM F. SCOTT, First Lieutenant, U. S. V.	

BY ORDER OF

BREVET BRIGADIER-GENERAL HORACE PORTER, late U. S. A.,  
*Commander.*

A. NOEL BLAKEMAN,  
Acting Assistant Paymaster, late U. S. Navy,  
*Recorder.*

OFFICIAL.

*Recorder.*