

And We Think Politics Are Messy Now – Knives and Revolvers at the Democratic Convention - 1854

The name Phillip W. Thomas is familiar to people who read Placer County history. He was a noted attorney and politician and was involved in at least two duels. But many of the facts of Thomas' life are missing leaving us with just a small glimpse of the 49'er.

Records are lacking as to Thomas' early background. We just know that he was born and raised in Maryland and then practiced law in New York before coming to Placer County in 1849. He tried mining for a few months, but like many others, returned to his trained profession as a lawyer for his livelihood.

Thompson & West pg. 112

Thomas was elected Justice of the Peace in the first election held in the Sutter County in 1850. (Auburn was part of Sutter County until 1851.) He was also named an Associate Justice to the newly formed Court of Sessions of Sutter County.

Thompson & West pg. 93

Thomas seemed to have had somewhat of a hot temper, as he was involved in at least two duels. The first was in 1849 or 1850. Thomas was in Walkup and Wyman's Saloon in Auburn when he had some kind of altercation with a Lt. Martin. John Boggs, later sheriff, was at the scene and grabbed a butcher knife away from Lt. Martin before he could strike Thomas. Thomas challenged Martin to a duel, the challenge was accepted and the two met in an empty lot in Old Town. Martin's first shot missed and Thomas' gun failed to fire. Thomas got another gun and shot through a tree and thus ended the duel.

Boggs – Placer Herald 11-16-1907

Thomas was evidently a fine lawyer with a good reputation as he was elected District Attorney for Placer County in 1852. Thomas was also the chairman of the Placer County Democratic Central Committee.

Thompson & West pg. 103 & 104

The issue of slavery was behind the second duel that Thomas participated in. Thomas had evidently made some "disparaging remarks" about J. P. Rutland, then a clerk in the State Treasurer's office. Rutland sent a challenge to Thomas via Dr. James P.

Dickson. Thomas "declined the challenge on the ground that the challenger was not a gentlemen."

Dr. Dickson then "declared that he would take the place of his principal." The two men, aware that dueling was illegal in California planned a ruse in which two friends, H. O. Ryerson and Hamilton Bowie arranged a mock duel, which drew the sheriff, and where Ryerson was arrested. In the meantime Dickson and Thomas met at dawn in Oak Grove about nine miles northeast of Sacramento and proceeded with the real duel. It was dueling pistols at a distance of fifteen paces. It was originally ten paces but changed by the seconds hoping to prevent bloodshed. Dickson's shot fell at Thomas' feet and Thomas' shot struck Dickson and mortally wounded him. Dickson died at midnight.

Thompson & West pg. 104 & History of Sacramento County pg. 319

Although P. W. Thomas was a pro slavery proponent, in 1853 he was involved with the case of a freed Negro girl who was in Placer County when the son of her prior master attempted to take her back to the south. Thomas was the girl's attorney, he produced her freedom papers and she was saved.

Placer Herald 4-16-1853

Thomas was a delegate to the 1854 Democratic convention. The delegates were evenly divided between "Broderick" democrats and "regular" democrats. The Broderick democrats were anti-slavery or "free soil" advocates while the regular democrats were pro-slavery. Thomas identified with the regular democrats

The convention drew both sets of delegates and it was noted, "in California history their rivalry has never been exceeded in intensity." The delegates arrived with guns and knives and "all were prepared for the most desperate action, a hundred pistols were drawn and held in readiness for bloody and deadly hostilities." Two chairmen were elected and "with revolvers drawn, escorted their respective Chairmen to the stage." Eventually there were three distinct parties represented in the next state election. The split in the Democratic Party led to an almost wholesale sweep of offices by the Whig party.

California: A History Rolle & Verge – Thompson & West pg. 105 & 106

In 1857 Thomas was again a delegate to the Placer County democratic convention and was elected District Attorney in 1858. By 1860 he was elected State Senator on the pro slavery ticket. In 1860 Thomas had a seemingly comfortable life, he held a high political

office, he had a thriving law practice in Auburn with his house and office on Court Street. He had a wife Anna and a daughter Francie age 2. His real estate was worth \$2,000 and his personal estate valued at \$1,000. Living with Thomas and his family were Robert Poland, James Welsh, Franklin Hueston, all attorneys and Ah Hing a servant.

Placer Herald 2-25-1854 and 1860 census.

Sometime after his senate term, from which he resigned before his term was finished, he returned to New York "leaving his investments, with an agent, upon his return he found himself bankrupt." In 1867 his home and office were auctioned off on the steps of the courthouse and sold for \$736.00. By 1870, without his wife and daughter, he was living with Robert Poland, Justice of the Peace and editor of the *Auburn Democratic Signal* newspaper and several printers. By 1871, at the age of 51, he was dead. W. H. H. Fellows recalled that Thomas was so disheartened by his bankruptcy that "he never recovered from the shock. He was an intelligent, honest and sober man and in his long service to the county he gave the most perfect satisfaction."

Fellows 4-20-1916 Placer Herald & Daily Alta California 110-28-1871 & District Court # 2485

Phillip W. Thomas was a fascinating character from Auburn's past who left much of his life's story a mystery.