

CASE NO. 155

TAH-TA-KAY-GAY

Proceeding of a Military Commission convened at Camp Release opposite the Mouth of the Chickpea River by virtue of the following orders

Order } A Military Commission composed of Col. Brooks
 No 53 } 6th Reg. H. Col. Marshall 7th Captains Grant and
 Bailey 6th Reg. and three others of the 3rd Reg. will convene
 at some convenient point in Camp at 10 o'clock A.M. to
 try summarily the Mulatto and Indians or mixed blood
 now prisoners or who may be brought before them by direct-
 ion of the Col. Brooks and pass judgement upon them if
 found guilty of Murder or other outrage upon the Whites during
 the present hostilities of the Indians. The proceedings of
 the Commission be returned to these H. immediately
 after their conclusion for the consideration of the Col.
 Brooks. The Commission will be governed in their pro-
 ceedings by Military Law and usage

H. H. Tibbels

Col. Brooks Ins^d Exped

H. 2nd Camp Release Oct. 15th 1862

Order } I - The Military Commission whereof
 No 55 } Col. Brooks 6th Reg. M.D. is President will
 convene tomorrow at 10 o'clock, or as soon thereafter
 as practicable, and proceed with the business before it

II - H. Col. Marshall 7th Reg. M.D. being
 absent on duty, Major Bradley of same Reg. is hereby
 detailed to fill the vacancy thus occasioned

By order of Genl H. H. Tibbels

H. H. Tibbels

H. Col

H. H. Tibbels

Camp Libby Sioux Agency
October 28th 1862

The Commission met pursuant to the order
Present

Colonel Crook	6 th Reg M. V.	} Members
Major Bradley	" " "	
Captain Grant	6 th " "	
" Bailey	" " "	
Supt. Wain	3 ^d " "	} Deputy Associate
Adjutant Hens	McPhail's Co.	
	Rangers	} Recorder

The Commission being then duly sworn and
Tah-ta-Ka-guy-a Sioux Indian was
arraigned on the following charge and specification
by

155 ~~156~~

Charges and Specifications against Tah-ta-ka-gay

1st Charge - Participation in the murder of Amos W. Huggins

Specification - In this that he the said Tah-ta-ka-gay did join with and participate in the murder of Amos W. Huggins on or about the 19th day of August 1862.

2^d Charge - Participation in the murders, outrages & robberies committed by the Sioux Indians on the Minnesota frontier.

Specification - In this that he the said Tah-ta-ka-gay did join with & participate in the murders, outrages & robberies committed on the Minnesota frontier by the Sioux tribe of Indians between the 18th day of August 1862 and the 28th day of September 1862, particularly in the battles at the Fort Ridgely, Birch Coulee, New Ulm and Wood Lake - All this in the State of Minnesota aforesaid.

Witnesses

Salin Laframboise }
}

A. H. Sibley

Brig. Gen. Commanding

The prisoner states.

I was present when Higgins was murdered - Another indian shot him. Two indians were with me - I was coming down to the back of the house, but I returned -

Mrs Julia La Fumelle, being sworn says - Prisoner came there with two other indians. They all had guns - One of the others inquired for Mr. Higgins - I told them they were not there - They swore he came - This indian and another went towards him - I heard the guns - They told us then to leave the house - I heard two reports of guns ^{in quick succession} - I did not see him when he was killed - It was about 10 yds from the house - This indian told me to leave - Each had a single barrel rifle -

Prisoner states -

I had a flint lock and the other indian a percussion gun - They were both single barrels -

I did not fire at Mr. Higgins. I think the other indian had a double

came gun —

And thereupon the case being closed, the
commission was cleared, and proceeded
with their finding and sentence,

The Military Commission after
due deliberation on the foregoing find the
prisoner, the said Tah-ta-ka-gay a Sioux
Indian, as follows

Guilty of the 1st Specification of 1st Charge

Guilty of the 1st Charge

Guilty of the Specification of 2nd Charge

Guilty of the 3rd Charge

and sentence him to be hanged by the neck,
until he is dead.

J. M. L. Beard
Recorder —

Wm. C. Brooks
Col. C. A. Munroe
Presdt Mil Comⁿ
R. C. Allen Lt. 3rd Regt. Vol.
Judge Advocate Mil. Com.

153-
Change Statement
No
Tah-ta-ka-gay
Sentence him to be hanged