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CASE NO. 210

WA-KAN-TAN-KA

Proceedings of a Military Commission
convened at Camp Release opposite the mouth
of Chippewa River by virtue of the following
order

Order No 55

Headquarters Camp Release
Sept 29. 1862

A Military Commission composed of
Colonel Brooks of the 6th Regiment, Lieut
Col Marshall 7th Regt, Captains Grant &
Bailey 6th Regt and Lieut Blair 3rd Regt will
convene at some convenient point in camp
at 10 o'clock this morning to try the Mullatto and
Indians or mixed bloods or who may be
brought before them by direction of the Col
Commanding & pass judgment upon them
if found guilty of murder or other outrages
on the whites during the present state of hostilities
of the Indians. The proceedings of the Com-
mission to be returned to these Headquarters
immediately after their conclusion for the
consideration of the Col Commanding.

The Commission will be governed in
their proceedings by Military Law & usage.

By order of Col. Comdg. this Expedition
S. H. Fowler

Lt Col
A. A. A. G.

Head Quarters Camp Release
Oct 15. 1862

Order No 35-

The Military Commission
whereof Colonel Brooks is President will
reconvene tomorrow at 10 O'clock or as soon
thereafter as practicable & proceed with the
business before it

Lieut Colonel Marshall 7th Regt
M.I. being absent on duty Maj Geo Bradley
is hereby detailed to fill the vacancy thus

By order of Gen H. Sibley

S. H. Fowler

Lt Col

A. A. A. G.

Camp Sibley Lower Agency
Oct 38. 1862

The military Commission met pursuant to
the above order

Present

Colonel Brooks 3rd Regt M.I.

Maj Bradley 7th " " "

Capt Grant 6th " " "

Capt Bailey " " "

Lieut Clin 3rd " " "

Adjutant Ward McPhail's Mounted Rangers - Resear

The commission was then duly sworn and Ma-
kan-tan-ka a Sioux Indian arraigned on the
following charge & specification -

210.
Head Quarters
Camp Shelby 29th Oct
1862

Charge & Specification against
Wa-han-tan-ka

Charge Participation in the murders
robberies & outrages ~~committed by the~~
Sewie Tribe of Indians on the Minnesota Frontier

Specification In this that he the
said Wa-han-tan-ka a Sewie
Indian did join with & participate
in the murders robberies & outrages
committed by the Sewie Tribe of Indians
on the Minnesota Frontier between
the 18th day of August 1862 and
the 28th day of September 1862
and particularly in the Battles
at the Fort. New Ulm Birch
Creek & Wood Lake

Witnesses
Hoshe-hole
Wahing-wahing
Thomas Robertson
David Smith

Camp Shelby
Brig Genl Comd

Godfrey Swann - says -

I saw the
prisoner down among the Dutch
settlements, where they were killing
the whites - On my way to New Beer,
we met 2 wagons coming towards
us and the prisoner and two others
said they would lay in wait for the
wagons - I & other Indians went
to a house and prisoner and other
Indians went to where the wagons
were - I went to where his comrade
was standing and found prisoner
there - When I got there I found
a white man dead in the wagon
& prisoner took out his knife and
stabbed the white man - I saw
him do it. I heard the guns
but did not see the man shot -

Prisoner & others then asked me
to drive the team & I did so -

He took out his knife & showed
it to me & said his brother had
died lately & he had now avenged
his death -

Prisoner says -

I did fire on the whites as
Godfrey says, but didn't kill
any one -

And thereupon the case being closed
the Commission was cleared and pro-
ceeded with their finding and sentence.

The Military Commission
after due deliberation on the foregoing
find the prisoner the said Wa-Ran-tan-
ka, a Sioux Indian as follows.

GUILTY of the Specification
GUILTY of the Charge
and sentence him to be hanged by
the neck until he is dead.

Wm C. Work
Capt 6th Min Vol
Presd Mil Comd
R. C. Clin St. 3rd Min Vol
Judge Advocate Mil. Com.

D. V. Delbeaux -
Recorder -

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Chas. Stebbins Co
Do
Wa-Ran-tan-Ka
Sentenced to be hanged