

CASE NO.22

DO-WAN-SA

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

Order No 55-

No 2

Head Quarters Camp Release
Sept 38, 1862

A Military Commission composed
of Colonel W^m Brooks of the 6th Regiment Lieut
Colonel Marshall of the 7th Regiment Captains
Grant & Bailey of the 6th Regiment and Lieutenant
Chin of the 3rd Regiment will convene at
some convenient point in Camp at 11 o'clock
this morning to try summarily the Mullatto
and Indians or mixed bloods now Prisoners
or who may be brought before them by direction
of the Colonel commanding and pass
judgment upon them if found guilty of
Murders or other outrages upon the Whites
during the present state of hostilities of the Indians
the proceedings of the Commission to be
returned to these Head Quarters immediately
after their conclusion for the consideration
of the Colonel commanding

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

H. H. Sibley
Colonel Commanding
Military Expedition

Camp Release opposite the
Mouth of Chippewa River
Sept. 28. 1862

The Military Commission met
pursuant to the above order -
Present

Colonel Brooks - 6 th Reg M.I.	} Members
Lieut Colonel Marshall 2 nd " " "	
Captain Grant 6 th " " "	
Captain Bailey " " " "	
Lieut Ohio 3 rd " " "	Judge Advocate
Adjutant Heard McPhail	Recorder
Mounte Rangers -	

The Military Commission was then
duly sworn and ~~E. H. A. - an - do~~ ^{Now and - do} a Sioux
Indian was arraigned on the following charges
and specifications

Charge Murder -
Specification 1st In this that the said
Now and - do a Sioux Indian did on or about the
23rd day of August 1862 kill or did aid and abet
in killing three men & two women at or near
Sagam Lake Minnesota -
Specification 2nd In this that the said Now and -
do a Sioux Indian did between the 18th day of
August 1862 and the 28th day of September 1862 join
with and participate in various murders & outrages
committed by the Sioux Indians on the Minnesota Frontier
Witness
By order of Col H. H. Lister
Don J. M. L. Lister
Lt Col L. M.

Prisoner being asked whether he pleads guilty or not guilty said nothing in response thereto

Godfrey - being sworn says - The prisoner told me he went to Swan Lake. He saw teams going along & run after them & killed white men: that when he overtook them he killed three white women and two men that he intended to take one good looking young woman home & his mother intepred - that he was leading the young woman away & her mother run after her to take her away & the Indians told him to shoot the mother

that he shot the mother & wounded the daughter that he went away & one of the Indians said she wasn't dead & he run & pulled up her clothes & she jumped up & another Indian took his tomahawk & struck her in the head & killed her - I know him perfectly well - I know these facts from him - He came to my lodge & there told me of his doings. The prisoner told me that the party was made up of five besides himself.

The prisoner states when we got to Swan Lake we saw seven men on horse back coming this way -

that when the seven men on horse back saw us they fired their guns at us & run away.

Hakah - (Hag - chah - a - dah o son) Pom - paio - Kaka and Ah - oh - kah - lin - and three of the Yellow Medicine bands of Indians were of the party. What Gus says about the party is so but I killed no one.

I got a horse belonging to one of the 7 men. Then our party started for Little Brown's Village. We met this party this side of Swan Lake.

I was with the party from the time they started from Snow's Village until they turned back from the horse-men - The party divided; one party contained three & one four men.

We got together in Barsh's house in going down.

They were fighting at New Ulm & we were going there because all the other Indians were going there.

Was at the Battle of New Ulm at the Fort - at Birch Creek and in the Battle at Wood Lake.

There were three women killed; ~~three~~ women were there but they run off. One of the men was killed - Oh-oh-Kah-siv - (the man who looks over) was one of the Swan Lake defectors. I told Gus what he says only I didn't say ~~he~~ killed a white man - Oh-oh-Kah-siv hid himself because he was afraid in the same manner.

He asked me to go & I didn't remember anything.

When we turned back from the horse-men we went to New Ulm -

The testimony being closed the Commission was then cleared and proceeded to the prayer and adjournment -

The Military Commission after due deliberation on the testimony adduced find the prisoner as follows

Guilty of the Specification

Guilty of the Charge

And do therefore sentence him the said Wowaw-sa a Sioux Indian to be hanged by the neck until he is dead -

J. H. Oberd
Recorder -

New York

R.C. Allen St. 3rd Minn. Vol. } Col. 6th Minn. Vol.
Judge Advocate Mil. Com. } Pres. Mil. Com.

22,

Charge, testimony re

As.

Do - wan - sa -

Convicted and
Sentenced to be hung