

CASE NO. 382

MAY-HOO-WAY-WA

Proceedings of a military commission
convened at Camp Release opposite the
Mouth of Chippewa River by virtue of the
following order

Order No 55-

Head Quarters Camp Release
Sept 28. 1862

A military commission composed
of Col Brooks 6th Regt Huss Col Marshall
7th Regt Captains Grant & Bailey 6th Regt
and Lieut Chin 3rd Regt will convene at
some convenient point in camp at 10 O'clock
this morning to try summarily the Mullatto
& Indians a ~~Shaven~~ ^{Shaven} ~~Rodds~~ ^{Rodds} a who may be
brought before them by direction of the
Colonel commanding & pass judgement
upon them if found guilty of murder or
other outrages on the white 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 & usage.

By order of Col commanding the Expedition

S. H. Fowler

1st Col

A. A. A. S. C.

Head Quarters Camp Release
Oct 15, 1862

Order No 65

The commission whereof
Col Brooks is President will reconvene
tomorrow at 10 O'clock AM. or as soon
thereafter as practicable & proceed with the
business before it

Lieut Col Marshall 7th Regt
being absent on duty Maj Bradley of same
Regt is hereby detailed to fill the vacancy
thus occasioned

By order of Gen H. H. Sibley

S. H. Fowler

Lt Col
A. A. A. Gb

Camp Sibley Lower Agency
Nov 3, 1863

The commission met pursuant to the
above order

Present
Col Brooks 6th Regt Mil
Maj Bradley 7th " " "
Capt Grant 6th " " "
Capt Bailey " " " "
Lieut Olm 3 " " "

Judge Abbot

Adj't Henry McPhail
Mustat Ranges Rees

The commission was then duly sworn and
Ma-ho-way-way, a sure Indian man, was
with following charge and specific

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Head Quarters. Camp Sibley
29th October 1862

Charge & Specification against
Ma-hoo-way-wa

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

Specification In this that he the said
Ma-hoo-way-wa a Sioux
Indian did join with & participate in
the murders robberies & outrages com-
mitted by the Sioux 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 Rice Belen Mouth
Cooke & Wood Lake

Witness
Godfrey

H. H. Sibley

Brig Genl Command

Prisoner states -

I was int
at the battle of the Hart +

I was wounded this
side of New Nem - I had to go down -
I had no gun - I went down
with a pipe and did nothing -

Godfrey says - It is not
true about his not wanting to go -
They were all very much pleased
with the troubles and ran to the Dutch
settlements - first killed a lot
of white people and then came to a
field of wheat - prisoner had a double
battered gun - He said he took the
gun from a house in the German settle-
ments - They all made a rush at the
wagon loaded with hay - two white
men on it - about - The Indians
all fired on them - I did not
see them afterwards - They were
all scattered along the road going
to New Nem - Afterwards met
him coming home to Brw's village
and he was wounded - Afterwards
heard he had been away two nights -
I asked him and he said it was
so - I asked him if ^{he was} ~~it~~ wounded
and he said "yes" - I asked him
how it happened & he said he shot

a white man, I ran towards him and
the white man shot him with a pistol
that he fell and lay there a long
time & when he came to, the white
man was dead -

He made a rush with others
where an old man and two girls
were killed, this side of the Travellers
Hut -

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 pris-
oner the said Ma-hoo-way was a Sioux Indian,
as follows.

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

M. D. Keane -
Recorder -

Wm. Crooks
Col. 8th Minn Vol.
Pres. of the Court

R. C. Chis
Lt. 3rd Minn Vol.
Judge Advocate Gen. Com.

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Charge Specifying On

Ma-hoo-way was

sentenced to be hanged