

Whiting-Ruggles Summary December 5, 1862

No. 10. MUZ-ZA-BOM-A-DU.—Convicted of the murder of an old man and two children.¹

Trial Record October 6, 1862

[Trial #10 – Muz-Za-Bom-A-Du]

Head Quarters Camp Release
September 28th 1862

A Military Commission composed of Colonel Wm Crooks of the 6th Reg., Lieut. Col. Marshall of the 7th Regiment, Captains Grant & Bailey of the 6th Reg. And Lieut. Olin of the 3rd Reg. Will convene at some convenient point in camp at 10 o'clock this morning to try summarily the Mulatto, and Indians, or mixed bloods, now prisoners, or who may be brought before them, by direction of the Col. Commanding and pass judgment upon them, if found guilty of murder 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 Col. Commanding.

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

(Signed) H. H. Sibley
Colonel Commanding
Camp Release opposite the
Mouth of Chippewa River, Minn.

Oct 6th 1862.

The Military Commission met pursuant to the above order-

Present

Col. Crooks - 6th Reg. M. V.

Lt. Col. Marshall, 7th Regt. M.V. Members

Et. Col. Marshall, 7th Regt.
Capt. Grant 6th Regt. M.V.

Capt. Bailey 6th Regt. M. V.

Capt. Bancey, 3rd Regt. M. V.
Lt. Olin - 3rd Regt M V Judge Advocate

Adjutant Heard – McPhail's Mounted Rangers – Recorder

The Commission was then duly sworn and Mu-Za-Bom-A-du, a Sioux Indian, was arraigned on the following charges and specifications:

Charge = Murder

Specification 1st. In this that the said Mu-Za-Bom-A-Du, a Sioux Indian, did on or about the 20th day of August 1862 kill an elderly woman and child in a garden near New Ulm, Minnesota.

Specification 2nd – In this that the said Mu-Za-Bom-A-Du, a Sioux Indian, did at various times and places on the Minnesota Frontier between the 18th day of August 1862 and the 28th day of September join with and participate in the murders and robberies committed by his tribe on the white citizens of the United States.

By order of Col. H. H. Sibley
[etc]

Witness
Godfrey (Negro)

[Frame 100]

The foregoing charge being read to the prisoner and he asked what he had to say thereto answered

I am not guilty. -- Ever since I remember I have been a friend of the whites.

An old Indian had a medal which he gave me with good advice which I have always followed.

Since the treaty of 1851 I have always been with my family near Winona. I was coming up to get my annuities at the time of the outbreak.

I wanted to go to Winona again, but I was afraid the Indians would take me and kill me. I call God to witness that I have not killed or shot at a white man.

My father and all the family were all killed by the Chippeways, but I have heard my father say that he never killed or abused a white man. I am short sighted and never even hunted ducks. I was compelled to go to several battle fields. I was near New Ulm cutting Kinnekinic when I heard of the outbreak.

I went to the lower agency after the outbreak but got nothing for my share. I was going along with a load of Kinnekinic I saw the Indians with Mary Swan and Miss Williams and I saved their lives. I have a niece, a member of the church at the Lower Agency. I took Miss Swan to here and she has kept her.

Where Patwell was killed I was not with the party, but heard the firing, threw the kinnekinic from my back and ran up. I stopped them from killing the women. I left the women at Wacoutas house – the next morning I got her. I know where the Traveller's Home is

[Frame 101]

Godfrey, being duly sworn, says – I know the prisoner. This Indian killed an old woman and two children. They were going into a garden when he fired on them. It was near the Traveller's Home near New Ulm. I saw the Indians fire on the old woman and saw her fall. He then jumped into the garden and kicked the children down. I didn't see him kill the children. I was in the wagon at the time. This took place on the first day they commenced killing the whites. I saw him again, but he didn't say he had killed any whites. If a man enters the house of enemies the Indians give him the name of killing many if men are killed there.

The prisoner further stated that what Godfrey said is not true. I met Godfrey at the Traveller's Home. I heard Godfrey had not killed any. I met Godfrey and his party near the

Traveller's Home. I didn't stop with them but went up near where they killed Patwell. I saw no whiskey. I had a bad gun when we met soldiers on the bridge and it didn't go off.

I was in the front wagon. I crossed the bridge when the soldiers were shot on foot. I was not there when the soldier was killed.

The court ~~find the prisoner guilty and sentence him to be hung by the neck until he is dead.~~

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And therefore the case being closed and proceeded with their findings and sentence.

The Military Commission after due deliberation find the prisoner the said Muz-za-bom-a-du, a Sioux Indian, as follows:

Guilty of the specification.

Guilty of the charge, and sentenced him to be hung by the neck until he is dead.

[Signatures of Mil.Com.]²

Riggs Synopsis December 1862

5. Ma za bom doo, [Iron Blower] says he was down on the Big Cottonwood when the outbreak took place; that he came that day into New Ulm and purchased various articles, and then started home. He met an Indian coming down. Saw some men in wagons shot, but does not know who killed them. He was present at the killing of Patwell and others, but denies having done it himself. He thinks he did well by Mattie Williams and Mary Swan, in keeping them from being killed. They now live and he has to die, which he thinks not quite fair.³

¹Whiting-Ruggles Report to Abraham Lincoln December 5, 1862.

² Dakota Trials Records. Microfilm and holograph records in Center for Legislative Archives, U.S. Senate Records, National Archives. Transcription by Walt Bachman. See corresponding digitations of microfilm by John Isch.

³ *Mankato Independent* December 26, 1862, "Confessions of the Condemned" p. 2. Editorial introduction reads: "Rev. S. R. Riggs has kindly prepared for us the following synopsis of conversations held with each one of the condemned prisoners, wherein is contained much interesting information."