

## Whiting-Ruggles Summary December 5, 1862

No. 2. TE-HE-HDO-NE-CHA.—Engaged in the massacres; took a white woman prisoner and ravished her.<sup>1</sup>

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## **Trial Record September 1862**

[Trial #2 Te-he-hdo-ne-cha]

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

## Head Quarters Camp Release

September 28<sup>th</sup> 1862

A Military Commission composed of Colonel Wm Crooks of the 6<sup>th</sup> Reg., Lieut. Col. Marshall of the 7<sup>th</sup> Regiment, Captains Grant & Bailey of the 6<sup>th</sup> Reg. And Lieut. Olin of the 3<sup>rd</sup> 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

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

The Military Commission met pursuant to the above order-  
Present

Col. Crooks – 6<sup>th</sup> Reg. M. V.  
Lt. Col. Marshall, 7<sup>th</sup> Regt. M.V. Members  
Capt. Grant, 6<sup>th</sup> Regt. M.V.  
Capt. Bailey, 6<sup>th</sup> Regt. M. V.  
Lt. Olin – 3<sup>rd</sup> Regt. M. V., Judge Advocate

Adjutant Heard – McPhail's Mounted Rangers – Recorder

The Military Commission was then duly sworn and Te-he-dho – ne – cha a Sioux Indian was arraigned on the following specifications

Viz-

Charge and specification against Te-he-hdo-ne-cha, a Sioux Indian –

Charge

Murder –

Specification – In this that the said Te-he-hdo-ne-cha, A Sioux Indian did go upon a war party against the white citizens of the United States and did participate in, or by his presence and participation, direct and indirect, cause to be

[Frame \_\_]

killed the Father, husband, and nephew of Martha Classen on or about the 19<sup>th</sup> day of August, and the 28<sup>th</sup> day of September 1862 – This at or near Beaver Creek, Minnesota

Charge 2<sup>nd</sup>

Rape-

Specification. In this that the said Te-he-hdo-ne-cha did forcibly ravish Margaret Cardinell, he, having been of the party who killed her father and brother in law on or about the 10<sup>th</sup> [20th?] day of August 1862, when she was taken prisoner by the same party.

Witnesses –

Margaret Cardinell

By order of Col. H. H Sibley –

Harriet Vallant

S. H. Fowler

Lt. Col. – State Militia

A.A. Adjut.

And therefore the prisoner was asked what he had to say in answer to said charge, to which he made the following statement –

I don't remember of killing any white persons, or committing any depredations, and that is the reason I am not with the other Indians. I knew nothing of the killing of white at the Lower Agency until two days afterwards and then I went down there. Myself and nine other went East of Beaver Creek. Saw a wagon load of white people – the men ran off, and

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the other Indians ran after them. This woman (Margaret Cardinell) is one of them.

I think there were ten (??) women and children there and the Indians wanted to kill them and I prevented it. If I killed any she will know it. I was compelled to go to the Fort and New Ulm. Didn't participate in the fight. Went to the Fort twice but killed no one – was out of bullets at Birch Coolie, but came home without firing again – was at Yellow Medicine at late battle, but did not fire a gun. If I had killed a white man I would not be here.

I slept with this woman once. I did bad towards her once – I tell you the truth – Another Indian may have slept with her.

Margaret Cardinal, a witness for the prosecution being then in Court, was duly sworn, and testified as follows:

The prisoner has slept with me. He has raped me against my will –when I was taken prisoner and the third night afterwards. This man was the same man who took me prisoner.

I did not see him kill anybody.

There were five Indians who came up where we were. Three white men a woman and a little child ran into the woods, and this Indian and another staid by the wagon and every time there was a

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war party this man went with. He was as ready to go as any of them and perfectly delighted –

Harriet Vallant, also a witness on the part of the prosecution was then called into court and sworn, and testified as follows –

I have heard the testimony of the last witness. I was with her when she was taken – we were together at Mrs. Classen's house – The three Indians, who ran off, came back, and said that they had killed two – This Indian was then present – He acted as if pleased at their success. The party took away our provisions and would not give us any –

The testimony being closed the Commission was then cleared and proceeded to the findings and sentence –

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

Guilty of the specification of the first charge.

Guilty of the first charge.

Guilty of the specification of the second charge.

Guilty of the second charge – and do therefore sentence him the said Te-he-hdo-ne-cha, a Sioux Indian

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to be hung by the neck until he is dead.

[Signatures of Commissioners and Recorder]<sup>2</sup>

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**Riggs Synopsis December 1862**

1. Te-he-do-ne-cha. (*One-who-forbids his house*,) says he was asleep when the outbreak took place at the Lower Agency. He was not present at the breaking open of the stores, but afterwards went over the Minnesota river and took some women captives. The men who were killed there, he says, were killed by other Indians, whom he named.<sup>3</sup>

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<sup>1</sup>Whiting-Ruggles Report to Abraham Lincoln December 5, 1862.

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

<sup>3</sup> *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.”