

Whiting-Ruggles Summary December 5, 1862

No. 210. WA-KAN-TA-KA.—Convicted of the murder of a white man not named.¹

Trial Record October 29 1862

[Trial #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

viz:

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.

By order of the Colonel Commanding Military Expedition

(signed) S.H. Fowler

A.A.A. Genl

Head Qtrs. Camp Release Min. Oct. 15 1862

Order No. 65

I. The Military Commission of which Col. Wm Crooks 6th Regt Minn Vols is President will reconvene tomorrow at 10 O'clock AM or as soon thereafter as practicable and proceed with the business before it.

II. Lieut. Col. Wm R Marshall 7th Minn Vols being absent on duty Maj. Gen Bradley of the seventh is hereby detailed to fill the vacancy thus occasioned.

By order of Gen.l H.H. Sibley
S.W. Fowler Lieut Col. A.A.A. Gl

Camp Sibley Lower Agency
October 28 1862

The Military Commission met pursuant to the above order-

Present

Col. Crooks – 6th Reg. M. V.

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Maj. Bradley, 7th Regt. M.V. Members
Capt. Grant, 6th Regt. M.V.
Capt. Bailey, 6th Regt. M. V.
Lt. Olin – 3rd Regt. M. V., Judge Advocate
Adjutant Heard – McPhail's Mounted Rangers – Recorder

The Military Commission was duly sworn and Wa-kan-tan-ka a Sioux Indian was arraigned in the following charge and specifications, viz

Headquarters
Camp Sibley
29th Oct 1862

Charge and specification against Wa-kan-tan-ka a Sioux Indian
Charge –Participation in the murders, outrages & robberies committed by the Sioux Indians on the Minnesota frontier

Specification –In that Wa-kan-tan-ka a Sioux Indian did join with and participate in the murders robberies and outrages committed 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 of the Fort, Birch Coolie, New Ulm, and Wood Lake

H.H. Sibley
Brig Gen Commanding

Witnesses
Hosu-hde [?]
Wakinyan washday
Thos Robertson
David Faribault

[c. Frame 608]

Godfrey sworn, says –

I saw the prisoner down among the Dutch settlements, where they were killing the whites. On the way to New Ulm, we met 2 wagons coming towards us and the prisoner and two others said they would lay in wait for the wagons. I and the 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 and 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 and others then asked me to drive the team. I did so.

He took out his knife and showed it to me and said his brother had died lately, and he had now avenged his death.

Prisoner says –

I did fire on the whites as Godfrey says, but didn't kill anyone.

And there upon the case being closed the Commission was cleared and proceeded with their finding and sentence.

The Military Commission after due deliberation on the foregoing, the evidence being closed and Commission was cleared and proceeded with the finding and sentence.

The Military Commission find the prisoner, the said Wa-kan-tan-ka, a Sioux Indian, as follows –

Guilty of the specification

Guilty of the charge,

And sentence him to be hung by the neck until he is dead.

[signatures of Mil. Com.]²

Riggs Synopsis December 1862

26. Wa-kan-tanka (*Great Spirit*) says he was not present of the commencement of the outbreak; was along with the company which came down from New Ulm; saw the men in two wagons killed, but he did not kill anyone; says one witness before the commission testified that he killed one of those men, but the witness lied on him.³

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

²Dakota 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."