

*1862 trial transcript* © 2012 Walt Bachman

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 duly sworn and Ma-kat-e-na-jin a Sioux Indian was arraigned in the following charge and specifications, viz

Headquarters Camp Sibley  
29 October 1862

Charge and specification against Ma-kat-e-na-jin a Sioux Indian

Charge –Participation in the murders, outrages & robberies committed by the Sioux Indians on the Minnesota frontier

Specification –In that Ma-kat-e-na-jin 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 18<sup>th</sup> day of August 1862 and the 28<sup>th</sup> day of September 1862 and particularly in the Battles of the Fort, Birch Coolie, New Ulm, and Wood Lake

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

Winess  
Napay-shne-doota

[c. Frame 940]

Prisoner states –

I was not at the Fort or Birch Coolie. I got to Wood Lake after the fight was over.

I was at New Ulm. I went there to take care of my son. He was killed. I had no gun at New Ulm.

Na-pay-shan-doota, sworn, says –

I know the prisoner.

I heard the prisoner say that at the Yellow Medicine he got there too late.

Godfrey, sworn says – I saw ~~Godfrey~~ the prisoner with a gun at New Ulm. I didn't see him do anything. I heard the prisoner encouraging the young men to fight.

Prisoner states – I had my son's gun coming down.

I saw him when the Indians fired on whites who were in a wagon with a flag. I did not fire.

I dissuaded the young men from fighting.

Godfrey says further – On our way to New Ulm prisoner was along when they were killing the whites and he was encouraging the young men. He said they were young – to go in – that they had nothing to fear.

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

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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 Ma-kat-e-na-jin, 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.]<sup>2</sup>

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### **Riggs Synopsis December 1862**

28. Ma-ka-ta-e-ne-jin (*One who stands on the earth*) is an old man; says he has not used a gun for years; was down at New Ulm, but didn't kill anyone; had two sons killed; wants to have the truth told.<sup>3</sup>

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

<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 digitations 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."