

No. 383. WA-KIN-YAN-NA.—Convicted of participating in the murder, near the “Travellers’ Home,” of an old man, two young girls, and two boys.<sup>1</sup>

## Trial Record November 3, 1862

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

viz:

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.

By order of the Colonel Commanding Military Expedition

A.A.A. Genl

Head Qtrs. Camp Release Min. Oct. 15 1862

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

II. Lieut. Col. Wm R Marshall 7<sup>th</sup> 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. G1

Camp Sibley Lower Agency  
November 3, 1862

The Military Commission met pursuant to the above order-

Present

Col. Crooks - 6<sup>th</sup> Reg. M. V.

Maj. Bradley, 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 duly sworn and Wak-in-yan-na a Sioux Indian was arraigned in the following charge and specifications, viz

Headquarters Camp Sibley  
29 October 1862

Charge and specification against Wak-in-yan-na a Sioux Indian  
Charge – Participation in the murders, outrages & robberies committed by the Sioux Indians on the Minnesota frontier

Specification – In that Wak-in-yan-na 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

Witness  
Godfrey  
A German boy

[No speaker identified] I was at the Fort at the last battle. I was asleep, because I didn't like it because the other Indians were firing.

At New Ulm, I was roasting beef all day.

Godfrey, sworn – At the commencement of the outbreak at New Ulm, when they were killing the people, I saw him rush in a house near the Traveller's Home where they killed an old man and two young girls. I did not see him do anything. After he came home I heard him say he killed two boys – killed them with his lance.

Prisoner says – I might have done it, but it was not with my lance, but with my flute. I touched him with it. He was outdoors and ran upstairs.

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 Wak-in-yan-na, 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**

39. Wak-kin-yan-wa (*Little Thunder*) says he is charged with having murdered one of the Coursall children, but the child is still living; he has seen the child since he was before the military commission. He has done nothing worthy of death.<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."