

## Whiting-Ruggles Summary December 5, 1862

No. 96. MAHPE-O-KE-NA-JI.—Convicted of the murder of Antoine Young, and of participating in the murder of another man, four women, and eleven children.<sup>1</sup>

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## Trial Record October 20 1862

[Trial #96 – Mahpe-oke-na-ji – (Cut Nose)]

viz:

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.

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 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. Gl

Camp Release opposite the mouth of the Chippewa River  
October 20 1862

The Military Commission met pursuant to the above order-

## Present

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

Col. CROOKS - G 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 Mahpe oke-na-ji a Sioux Indian was arraigned in the following charge and specifications, viz

Charge and specification against Mahpe-oke-na-ji a Sioux Indian

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

Specification –In that Mahpe-oke-na-ji 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 at the Fort, New Ulm, Birch Coolie and Wood Lake. Killed Andrew Young in Forbes store and was engaged in the massacres of Beaver Creek.

By order of Gen.l H.H. Sibley

S.W. Fowler Lieut Col.

A.A.A. Gl

Witnesses

Jack Frazier

Lewis Tayler, Co.E. 6<sup>th</sup>

[Frame 721]

**Prisoner states**

Was on the west side of the Fort at the battle. Was not at New Ulm nor at Birch Coolie. Was at the Big Woods and behind time. Did not kill a white man at any time. Fired three shots at Beaver Creek.

Jack Frazier sworn – On the morning of the outbreak I was standing by Forbes store. Indians were going by. He heard firing and asked the Indians what it meant. They said the Chippeways were on the other side of the river and they were going across. Saw prisoner level his gun at Antoine Young and shoot him dead. Then witness went into the house and hid himself.

Lewis Thiele. About 1/2 past ten prisoner with about 40 other Indians came up from the agency to Red Wood. He shot one man off a wagon. I saw him strike the persons in the wagon with a knife. There were 4 women and 11 children. They were all killed.

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 Mahpe-oke-na-ji, 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

18. Mah-pe—ke-ne-jin (*Who Stands on the Cloud*) Cut Nose says that when Little Crow proposed to kill the traders he went along. He says he is charged with having killed a carpenter but didn't do it. He fired off his gun in one of the stores. His nephew was killed at Fort Ridgely. He was out at Hutchinson when his son was killed. Little Crow took them out. He was hungry and went over to an ox. When there he saved Mr. Brown's family.<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 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."