

Mrs. Davis, a former member of the society's manuscript department, wrote this article as a result of her research in editing the Henry H. Sibley Papers for microfilm publication under the auspices of the National Historical Publications Commission.

TWO Sioux War Orders: A Mystery Unraveled

JANE S. DAVIS

NEAR THE END of the Civil War's second year, Abraham Lincoln took time from the press of other matters to write a painstaking, three-page letter to Brigadier General Henry H. Sibley, newly named commander of the District of Minnesota in St. Paul. The president dated the first page of executive mansion stationery "December 6th, 1862," and then wrote out laboriously in his neat hand the multisyllabled names of thirty-nine Sioux Indians and half-breeds to be hung for murder or rape in the uprising of 1862 in Minnesota.

The letter, one of the most important documents owned by the Minnesota Historical Society, was donated in 1868 by Edward D. Neill, early Minnesota Presbyterian minister, educator, and historian. Neill, who was also one of Lincoln's secretaries, found the letter to Sibley among the president's papers after his assassination and got permission to take it as a memento.¹

In the hundred years since receiving the prized manuscript, the society has identified it in its collections as the original order Lincoln wrote to Sibley. However, it now appears after all this time that, although the

Neill gift is indisputably an original Lincoln manuscript, it was never sent to Sibley at all. Is it, then, a draft of the letter to Sibley? If so, where is the letter Lincoln actually sent to Sibley and is this in Lincoln's handwriting, too? Solving the puzzle means, in part, studying both Sibley's and Lincoln's connections with Indian trouble in Minnesota and also retracing the route of Sibley's official military papers.

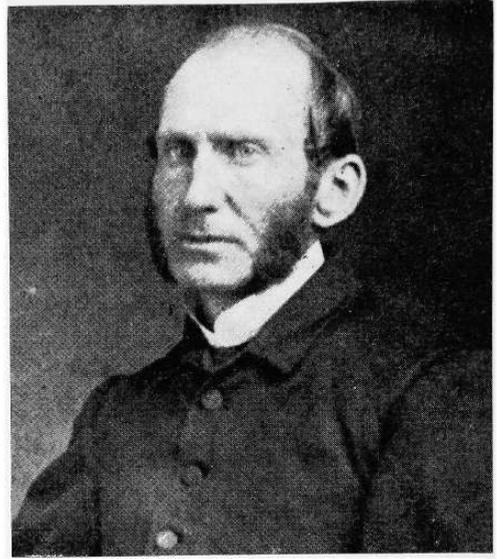
When news of the Sioux Outbreak reached Governor Alexander Ramsey on August 19, 1862, he at once turned to his old friend Henry Hastings Sibley, then fifty-one, to lead a military campaign against the Indians. Perhaps Minnesota's most prominent citizen, Sibley had served as the territory's first delegate to Congress and the state's first governor. He was lacking in military experience but he had learned Sioux ways during his many years as a fur trader and outdoorsman. Sibley revealed an ambivalent attitude toward the Sioux. He had long been concerned with their welfare and had even predicted war if government policy were not somehow changed to lessen the disastrous impact of white culture on the Indians. Yet in 1862 he not only was willing to fight the Sioux but felt strongly that they should be severely punished. The newly commissioned colonel commanding the Sioux expedition moved his green, ill-sup-

¹"Lincoln's Sioux War Order," in *Minnesota History*, 33:77-79 (Summer, 1952). The letter is in the Edward D. Neill Papers in the Minnesota Historical Society.

plied forces too slowly for his critics, but he did succeed in defeating the Indians and in freeing their 269 white and half-breed prisoners on September 26, 1862.²

Sibley then appointed a military commission to try captured Sioux who had taken part in the uprising. The commission finally sentenced 307 to death, but the president's approval was necessary for execution. Thus, on November 7, Major General John Pope, commander of the new Military District of the Northwest, telegraphed Lincoln the names of 303 condemned Indians (four names were eliminated). On November 10 Lincoln asked Pope to forward "the full and complete record of these convictions. . . . Send all by mail." The president gave the records to two advisers, George C. Whiting and Francis H. Ruggles, to study with the idea of distinguishing between those who had committed murder and those who had merely taken part in battles.³

Lincoln apparently had hoped to escape the chore of selection, for he wrote Joseph Holt, judge advocate general, on December 1: "Three hundred Indians have been sentenced to death in Minnesota by a Military Commission, and execution only waits my action. I wish your legal opinion whether if I should conclude to execute only a part of them, I must myself designate which, or could I leave the designation to some officer on the ground?" The key part of Holt's answer was, "I am quite sure that the power cannot be delegated," so Lincoln continued to pursue the matter himself. Meanwhile he got plenty of advice from Minnesota. Ramsey and Pope, among others, urged the speedy execution of all the condemned prisoners. The growing tension in Minnesota was indicated by Sibley, now head of the Military District of Minnesota, in a letter of December 8 to his counterpart, Brigadier General Washington L. Elliott, commander of the Military District of Wisconsin: "Ask the President to keep secret his decision, whatever it may be, until I have prepared myself as best I can. God knows how much the excitement is increas-



Edward D. Neill in 1861

ing and extending." (Obviously, Sibley had not yet received Lincoln's communication dated December 6.)⁴

It should be pointed out that Lincoln's knowledge of Indian troubles in Minnesota went further back than his communications with Pope after the military commission had made its decisions. In fact, even before the Sioux went on the warpath on August 18, Lincoln sent one of his private secretaries, John G. Nicolay, to Minnesota to help William P. Dole, United States commissioner of Indian affairs, negotiate landcession treaties with Chippewa bands. Nicolay armed himself with a copy of Neill's *History of Minnesota*, presumably to learn about Minnesota Indians, but the Sioux Outbreak prevented any treaty-mak-

²For accounts of Sibley's 1862 expedition and the trials and punishment of the Sioux that followed, see William W. Folwell, *A History of Minnesota*, 2:147-211 (St. Paul, 1961); Kenneth Carley, *The Sioux Uprising of 1862*, 36, 47-51, 55-67 (St. Paul, 1961).

³Lincoln to Pope, November 10, 1862, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 5:493 (New Brunswick, New Jersey, 1953); Folwell, *Minnesota*, 2:197, 209.

⁴Lincoln to Holt, December 1, 1862, in Basler, *Collected Works*, 5:537. Holt's full answer is given on p. 538. *Minnesota in the Civil and Indian Wars*, 2:291 (St. Paul, 1892).

ing. Nicolay did accompany Dole and others to St. Cloud and later to Fort Ripley and Crow Wing village, where negotiations with the disgruntled Chief Hole-in-the-Day helped keep a Chippewa disturbance from getting out of hand. Nicolay returned to Washington in September and wrote an objective account of "The Sioux War" that was published in *The Continental Monthly* for February, 1863. Presumably Nicolay also discussed Minnesota Indian troubles with Lincoln and perhaps influenced the president toward leniency.⁵

ANOTHER temperate voice to which Lincoln listened was that of Episcopal Bishop Henry B. Whipple. He had written the president the previous March to point out evils in the government's Indian policies. Now he braved the outrage of other Minnesotans in his stand on the uprising. At its end, Whipple visited Lincoln to request justice for the Sioux, and in November, 1862, he sent Lincoln a memorial, signed by several Episcopal leaders, asking for a commission to reform the Indian system. On December 4 Whipple wrote a letter to Lincoln, outlining the causes of the uprising, and another to Sibley, saying "If there is any doubt [about the trials] I know your heart would agree with mine for a searching examination." Sibley defended the military commission in his answer of December 7 and said of the outbreak "that great crime



Henry H. Sibley in 1862

against our common humanity demands an equally great atonement."⁶

Thus Lincoln was well aware of the uprising. He knew, too, that most Minnesotans were bitter against the Sioux, but he also had heard pleas for leniency. As he later wrote to the Senate, he himself was "anxious to not act with so much clemency as to encourage another outbreak, on the one hand; nor with so much severity as to be real cruelty, on the other."⁷

After poring over the military commission records, advisers Whiting and Ruggles reported to Lincoln on December 5. The same day, the United States Senate, on the motion of Minnesota Senator Morton S. Wilkinson, resolved to request information from Lincoln about the trials. On December 6 Lincoln wrote Sibley the famed letter, disappointing to Minnesotans in general, in

⁵Theodore C. Blegen, ed., *Lincoln's Secretary Goes West: Two Reports by John G. Nicolay on Frontier Indian Troubles 1862*, 9-16, 45 (La Crosse, Wisconsin, 1965); Helen Nicolay, *Lincoln's Secretary: A Biography of John G. Nicolay*, 151-155 (New York, 1949).

⁶Henry B. Whipple, *Lights and Shadow of a Long Episcopate*, 136-141 (New York, 1900); Whipple to Lincoln, December 4, 1862 (copy), Whipple Papers, in the Minnesota Historical Society; Whipple to Sibley, December 4, 1862, Sibley Papers, in the Minnesota Historical Society; Sibley to Whipple, December 7, 1862, Whipple Papers.

⁷"Indian Barbarities in Minnesota," 37 Congress, 3 session, *Senate Executive Documents*, no. 7, p. 1 (serial 1149).



John G. Nicolay and Lincoln

which he listed the thirty-nine condemned Indians he had selected for execution from the 303 sentenced by the military commission. This letter in Lincoln's own hand is the one Neill found, hereafter called *Letter A*.⁸

Lincoln then sent a letter directly to Sibley by special messenger rather than through official channels of the Department of the Northwest. But it is now known that the letter which Sibley received was not in Lincoln's handwriting. Apparently Lincoln had kept *Letter A* and sent Sibley a secretary's copy that he signed. This henceforth will be called *Letter B*. The copyist appears to have been the same John G. Nicolay who had visited Minnesota. His knowledge of the uprising, his position as a principal private secretary, and the handwriting all point to him as the man who penned *Letter B*.

When Lincoln answered the Senate's resolution on December 11, he noted that he was enclosing, along with other documents, a "copy" of his order to Sibley and

an abstract of the evidence against the condemned. Probably what he enclosed was *Letter A*, identical in content (but with somewhat different spacing) with *Letter B* sent to Sibley. The Senate had Lincoln's message and enclosures printed and then returned them, so *Letter A* went back to Lincoln at the White House.⁹

AFTER Lincoln's death, his papers were moved to the home of Judge David Davis, administrator of Lincoln's estate, in Bloomington, Illinois, and stored there until 1874. *Letter A*, however, must have been left behind, for Neill found it at the White House "among some useless papers." In 1868, after asking permission of Lincoln's son, Robert Todd Lincoln, Neill sent *Letter A*, the December 11 message, and other enclosures to the Minnesota Historical Society. The society appreciated the value of the Lincoln manuscripts and displayed them proudly. On April 17, 1876, when he was president of the society, Henry H. Sibley wrote: "I hereby certify that the foregoing copies of orders for the execution of the Sioux Indians concerned in the outbreak of 1862, are true transcripts of the originals, which have been donated to the Minnesota Historical Society."¹⁰

At an executive council meeting of the society June 12, 1876, Sibley suggested that

⁸ 37 Congress, 3 session, *Senate Journal*, p. 30 (serial 1148); 37 Congress, 3 session, *Senate Executive Documents*, no. 7, p. 6-9 (serial 1149); Basler, *Collected Works*, 5:542.

⁹ 37 Congress, 3 session, *Senate Executive Documents*, no. 7, p. 2 (serial 1149). Basler, in *Collected Works*, 5:551, states that this message is found as a signed document in the National Archives Record Group (NARG) 46, Senate 37aF2. He does not note the autograph message owned by the Minnesota Historical Society, although the society's *Letter A* is his source for the December 6 order. A search in the files of the Senate committee on Indian affairs failed to turn up this message, nor is it listed in Library of Congress, *Index to the Abraham Lincoln Papers* (Washington, 1960).

¹⁰ Library of Congress, *Index*, vi; Minnesota Historical Society, Meetings of the Executive Council, 6:103, 105. The quotation is in Nathaniel West, *The Ancestry, Life, and Times of Hon. Henry Hastings Sibley, LL.D.*, 288 (St. Paul, 1889).

the “celebrated manuscript order” of President Lincoln be lithographed.¹¹ Letter A facsimiles (hereafter called A-1) were printed and entitled “Facsimile of the Autograph Letter of Abraham Lincoln, President of the U.S., to General Henry H. Sibley of Minnesota.” Two copies of facsimile A-1 are now in the Sibley Papers at the Minnesota Historical Society. Sibley inscribed one to his old fur-trading friend, Norman Kittson; the other bears a March 31, 1879, postscript by Stephen Miller, formerly colonel of the Seventh Minnesota Regiment: “I hung thirty-eight of these Indians at Mankato, December 26, 1862.” Miller went on to detail how he had difficulty getting rope for the hangings.

Somewhat surprisingly, Sibley apparently forgot that the order he received from Lincoln—Letter B—must have remained with the official military papers. The reconstructed route of Letter B—the Nicolay copy signed by Lincoln—follows. Lincoln sent Letter B to Sibley in St. Paul by special messenger on Monday, December 8. He must also have sent Sibley a copy of the report of Whiting and Ruggles, because the *St. Paul Daily Press* of December 28, 1862, published it along with the December 6 order. Sibley received Letter B on December 15. According to military procedure and his own custom he endorsed it:

“Order of the President of the U.S. directing the execution of thirty-nine condemned Indians.” Then it was copied (B-1) by an unidentified person. The copy was designated “Special Order No. 59” and sent to Colonel Miller with a postscript by Sibley: “The order of the President of the United States of which the foregoing is a true copy, will be carried into full effect on the day prescribed.” Letter B-1 is in the Sibley Papers. It was donated to the society in 1869 by John K. Arnold, formerly post adjutant at Mankato, who had kept the military papers. On the 1876 facsimile A-1 which Sibley inscribed to Kittson he copied his postscript to Miller.

Sibley, on December 15, requested postponement of the executions to allow Miller time to make arrangements. The president telegraphed on December 16 that the execution date should be changed from December 19 to December 26. On December 27, Sibley telegraphed Lincoln that thirty-eight Indians had been hung (one was reprieved) and that “Everything went off quietly.”¹²

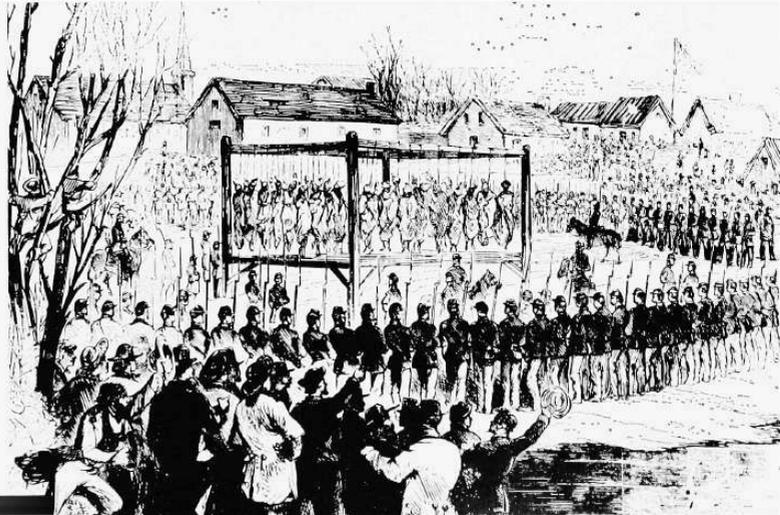
A study of his papers reveals that Sibley was a meticulous man who was conscious of his role in history. Therefore he was careful with the papers that could portray and document that role. Presumably this means official military papers, too. The only official correspondence left in the Sibley Papers is usually labeled “confidential” by the authors, so one can reasonably assume that Letter B—an official order, not a private communication—remained in the

(Text continued on page 124)

¹¹ Minnesota Historical Society, Meetings of the Executive Council, 8: 69.

¹² Copies of these telegrams are in the Sibley Papers. The originals are in the Lincoln Papers, Library of Congress. See also Basler, *Collected Works*, 6: 6.

This sketch of the execution of thirty-eight Sioux at Mankato, December 26, 1862, was made for Harper's Weekly by a “Mr. Herman of St. Paul.”



Executive Mansion,

Washington, December 6th, 1862.

Brigadier General H. W. Sibley
St. Paul
Minnesota.

Ordered that of the Indians and half-breed, sentenced to be hanged by the Military Commission, composed of Colonel Brooks, Lt. Colonel Marsh, etc, Captains Grant, Captain Bailey, and Lieutenant Olmstead lately sitting in Minnesota, you cease to be executed on Friday the nineteenth day of December, instant, the following names, to-wit

- | | | |
|--------------------------------|---------|----------------|
| "Ee-hee-hoo-mee-chai." | No. 2. | by the record. |
| "Sagon" alias "Pleem-doo-tai." | No. 4. | by the record. |
| "My-ah-teh-to-wah" | No. 5. | by the record. |
| "Koin-haw-shoon-ko-yag." | No. 6. | by the record. |
| "Mung-gah-kom-ah-die." | No. 10. | by the record. |
| "Wah-pay-ah-tai." | No. 11. | by the record. |
| "Ma-he-hoo." | No. 12. | by the record. |
| "Sna-mee-mi." | No. 14. | by the record. |
| "Sia-te-mi-hai." | No. 15. | by the record. |
| "Paw-in-yaw-khai." | No. 19. | by the record. |
| "Do-wah-pai." | No. 23. | by the record. |
| "Low-pen." | No. 24. | by the record. |

"Hanging" Order in Lincoln's Hand

Pictured above and below are the first and last pages of the three-page letter (A) that Lincoln wrote to Sibley, designating the thirty-nine Sioux to be executed. This copy went to the Senate instead of to Sibley and was returned to the White House, where Neill found it. He presented it to the society.

- | | | |
|---------------------|----------|----------------|
| "Koda-hoo-hoo-yag" | No. 373. | by the record. |
| "O-yah-toy-ah-koo." | No. 377. | by the record. |
| "May-hoo-way-wah" | No. 382. | by the record. |
| "Ma-hoo-yaw-hai." | No. 383. | by the record. |

The other condemned prisoners you will hold subject to further orders, being aware that they neither escape, nor, subjected to any unlawful violence.

Abraham Lincoln, Pres.
ident of the United States,

The Same Order in Nicolay's Hand

Executive Mansion,

Washington, December 6th, 1862.

Brigadier General S. H. Sibley
St. Paul

Minnesota

Ordered that of the Indians
and Half-breeds sentenced to be hanged by the Military
Commission, composed of Colonel Crooks, Lt. Colonel Marshall,
and Captains Grant, Captain Bailey, and Lieutenant Olin,
and lately sitting in Minnesota, you cause to be exe-
cuted on Friday, the nineteenth day of December,
instant, the following named, to-wit:

"Ti-he-hdome-cha"	No. 2. by the record.
"Noo' alias 'Plamcoola'"	No. 4. by the record.
"Wya-tah-to-wah"	No. 5. by the record.
"Pin-han-shoon-ko-yag-ma-ni"	No. 6. by the record.
"Muz-ya-im-a-di"	No. 10. by the record.
"Wak-pu-durta"	No. 11. by the record.
"Wa-ko-hud"	No. 12. by the record.
"Sha-ma-ni"	No. 14. by the record.
"Tu-te-mi-ma"	No. 16. by the record.
"Rda-in-gan-kua"	No. 19. by the record.
"Do-wan-sa"	No. 22. by the record.
"Naqan"	No. 24. by the record.

Here are the first and last pages of the newly discovered copy (B) of Lincoln's order that actually went to Sibley (note the folds). This letter, signed by Lincoln, is in the handwriting of Nicolay and is now in the National Archives. The two copies differ in spellings of some names and in word spacing.

"Wta hin-hday"	No. 275. by the record.
"C-yu-tay-a-ko"	No. 276. by the record.
"Muy-ke-wag-wa"	No. 282. by the record.
"Wa-hin-gan-na"	No. 283. by the record.

no other condemned prisoners you
will hold subject to further orders, taking care
that they neither escape, nor are subjected to
any unlawful violence.

Abraham Lincoln, Pres-
ident of the United States.

official files when Sibley was relieved of the command of the Military District of Minnesota in 1865. When the Department of Dakota, which included Minnesota, was established in August, 1867, Letter B would have become a part of the department files.¹³

The Indians whom Lincoln had spared from hanging were imprisoned at Davenport, Iowa, and were still there in 1866. On January 10, 1866, the Reverend Stephen R. Riggs wrote Secretary of the Interior James Harlan, asking for release of the prisoners. His letter was referred to the War Department, and government officials began to search for the records of the military commission and those pertaining to the execution of the Sioux. At this time all material on the Sioux Uprising was pulled together into a consolidated file in the adjutant general's office in Washington.¹⁴ But the record of the military commission and Lincoln's Letter B were missing.¹⁵

In 1892 Letter B finally reached the War Department and was placed in the record and pension office files. There it was stamped "received from the Department of Dakota thro, A.G.O. June 23'd. 1892." In February, 1893, Letter B was placed in the consolidated file of the adjutant general's office, along with a letter that the Catholic missionary, Father Augustin Ravoux, wrote Sibley on December 17, 1862, asking that the Indians be given at least one day's notice of their execution.

Even after 1893 government officials were unsure of the location of the Sioux Uprising material. Another search began in 1897 when Richard F. Pettigrew, chairman of the Senate committee on Indian affairs, requested copies of the papers. Pettigrew eventually was told — erroneously — that everything important had been "published in the Rebellion Records." But this did not include the December 6 order.¹⁶

While confusion reigned in the military archives, Minnesotans remained ignorant of Letter B. In 1967 Minnesota Historical Society staff members began to suspect its

existence while preparing a microfilm edition of the Sibley Papers. The latter contained two facsimiles and a copy of Lincoln's Letter A and these prompted closer scrutiny of the "original" in the Neill Papers. Puzzling questions arose. Why was Letter A not endorsed by Sibley or stamped by a government agency? Why did it look as though it had not been handled or mailed? Most important, why had Neill found it among Lincoln's papers if it had indeed been sent to Sibley? Sibley's military papers should have gone to military archives, not to Lincoln's desk. These questions led to a hunt for a second letter sent to Sibley.

The society then obtained a roll of National Archives microfilm which contained a copy of the consolidated Sioux Outbreak file. With this microfilm, the puzzle could

¹³ *Minnesota in the Civil and Indian Wars*, 1:713; *Checklist of U.S. Public Documents 1789-1909*, 1:1292 (Washington, 1911).

¹⁴ Riggs to Harlan, January 10, 1866, letters received by the adjutant general's office (main series), NARG 94. The Minnesota Historical Society has a copy of file 5 I 1866 on microfilm no. 619, roll 483, filmed in 1965 by the National Archives.

File 5 I 1866 is a consolidated file of Sioux Outbreak material in the adjutant general's office of the War Department. In addition to the December 6 order (Letter B), the file contains material on Sioux prisoners in Iowa, Minnesota militia, and Sisseton and Wahpeton Indian claims. It also has numerous searchers' notes written by persons seeking Sioux Outbreak documents. Papers seem to have been added to the file at various times. Perhaps some were transferred from the record and pension office which in 1892 was charged with keeping records of volunteer troops. Some of the records of Sibley's command are in record and pension office files, and apparently the December 6 letter was there at one time. See Kenneth W. Munden and Henry Putney Beers, *Guide to Federal Archives Relating to the Civil War*, 383 (Washington, 1962).

¹⁵ In Folwell, *Minnesota*, 2:196n, the historian says he and Senator Knute Nelson of Minnesota found the records of the military commission in the Senate files in 1909. A card dated February 1, 1909, in the Folwell Papers, in the Minnesota Historical Society, shows that Nelson and C. H. Hick withdrew the Sioux trial testimony. There is no information on the subject in the Nelson Papers.

¹⁶ Lincoln to Sibley, December 6, 1862; Richard F. Pettigrew to Secretary of War Russell A. Alger, March 10, 1897, file 5 I 1866, NARG 94.

be solved, for there was Letter B that had been sent to Sibley, endorsed by him, and stamped by the adjutant general's office. Further research revealed that Letter A was Lincoln's own draft from which Nicolay made the copy (Letter B).

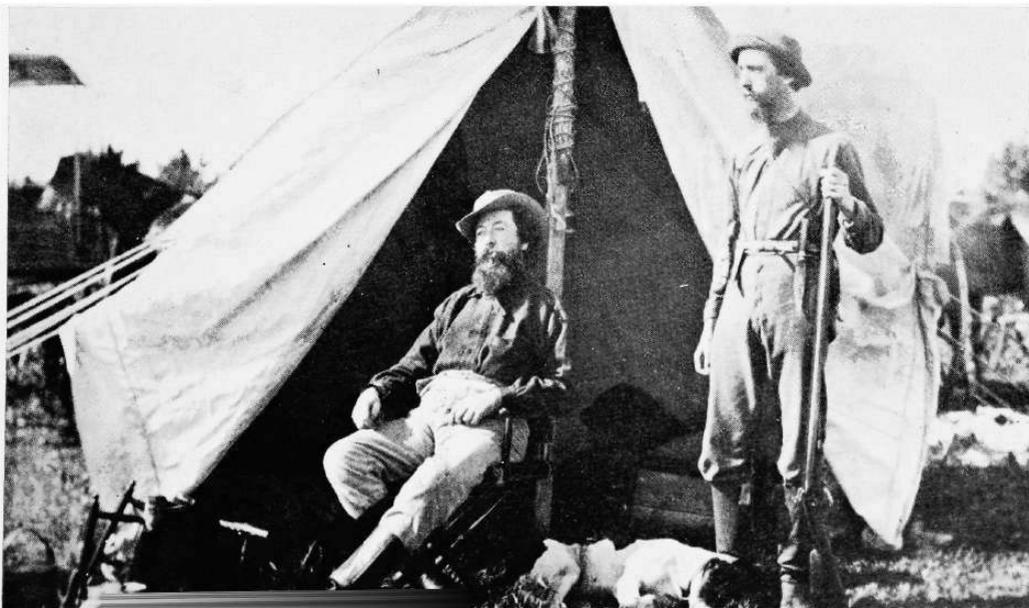
Now to recapitulate. Lincoln wrote and sent Letter A to the Senate, which returned it to the White House. It was found there

THE PHOTOGRAPH of Nicolay and Lincoln on page 120 is from Helen Nicolay, *Lincoln's Secretary*; the drawing on page 121 is from *Harper's Weekly*, January 17, 1863; photographs of the Nicolay letter were furnished by the National Archives; all other photographs are in the Minnesota Historical Society's collection.

by Neill, who donated it to the Minnesota Historical Society. In 1876 the society made facsimiles (A-1) of Letter A. Letter B, meanwhile, had been sent to Sibley, copied (B-1), and then put with other official military papers in the War Department files. Copy B-1 was donated to the society in 1869 by John K. Arnold. So the Minnesota Historical Society possesses the original Lincoln order (Letter A) — still a valuable document but one which must now share honors with the Nicolay copy signed by Lincoln (Letter B). The order the president sent to Sibley traveled the same route as many another official document — back to Washington.



These photographs, the first published views of Nicolay in Minnesota, were taken in camp at Big Lake in Sherburne County on August 24, 1862. In the over-all scene above, Nicolay aims his gun while his unidentified companions look on. Below, Lincoln's secretary, standing with the gun, looks considerably more informal than he does in the pose with the president on page 120. The man seated on a campstool, although not positively identified, may well be William P. Dole, commissioner of Indian affairs. Both carte-de-visite photographs are from an album once owned by Nicolay and now in the collection of the Lincoln National Life Foundation, Fort Wayne, Indiana, which granted permission to reproduce them here.





Copyright of **Minnesota History** is the property of the Minnesota Historical Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. Users may print, download, or email articles, however, for individual use.

To request permission for educational or commercial use, [contact us](#).