

Resolutions of the Minnesota Legislature
Requesting Congress Enact Laws Granting Relief
to “Sufferers” of the Dakota War.

In early February 1863, the state legislature passed two Memorials to Congress asking that the victims of the Dakota War be considered equivalent to soldier-casualties of the Civil War, thus enabling them to receive pension benefits (A “Memorial” was an official request for action by congress that was later called a “Resolution”).

5th Minnesota Legislature, 1863.

The first Memorial, designated No. 10, was passed February 4, and the second, Memorial No. 5, passed February 16, 1863.

NUMBER V.

1863 Laws, Memorial No. 5, Appendix, at p. 279

A Memorial to the Congress of the United States to extend the Pension Law of 1861-'62, to the Sufferers by the Sioux Raid.

To the Senate and House of Representatives of the United States of America:

Your memorialists, the Legislature of the State of Minnesota, would respectfully represent:

That during the late Indian raid, many citizens of Minnesota were killed, and others wounded and permanently disabled, as to render them incapable of maintaining themselves and families by manual labor, more especially as in most cases, their entire personal property was taken or destroyed by the savages; that many hundreds have received, and will continue to receive, at least until spring, needful aid from the State; that your memorialists do not believe that the State should be obliged to make permanent provision for the support of said

sufferers, but believe that it is the duty of the United States to protect its people against Indian depredations.

We would therefore ask of your honorable body to extend the benefits of the Pension Law, passed at your session 1861-'02, to all persons permanently disabled by wounds received in said raid, and to all widows or families who may have lost their husbands or fathers in said war, in all respects as if said persons had been killed or wounded in the military service of the United States.

Approved, February 16, 1863.

NUMBER X.

1863 Laws, Memorial No. 10, Appendix, at pp. 285-7

A Memorial to Congress to Indemnify the State of Minnesota, within the shortest possible time, for Losses sustained by the Sioux Indian War in the year 1862.

To the honorable, the Senate and House of Representatives, in Congress assembled;

Your memorialists, the Legislature of the State of Minnesota, respectfully represent:

That the Sioux Indian war, in the year 1862, was characterized in most instances, especially in the counties of Brown and Renville, and in the western part of Nicollet county, by a total destruction of all the property of the settlers; that is to say: by burning their houses, with contents, farming utensils, and grain stacks, and by driving off and killing all their cattle and stock;

That the surviving sufferers from said war have been mostly reduced to the utmost poverty and destitution, and that a great number of them are living at present upon public charity;

That the aggregate value of the property destroyed and damage done by the Sioux Indians, in this State, cannot, in our

judgment, be less than two millions of Dollars, and probably will not exceed the sum of two and a half millions of dollars;

That the people of this State have felt the deepest gratification in witnessing that, at so early an opportunity, your honorable body has taken the relief of said sufferers under your consideration ;

That the bill for their relief, as passed by your House of Representatives, as well as the substitute of said bill, as passed by your Senate, in the month of January, would be entirely satisfactory to the people under ordinary circumstances, and in a more settled country; but that under our present circumstances, the relief contemplated in said bills would fail, for the following reasons:

First. Most of the surviving settlers, driven off by said Indians, would return to their farms next spring, and resume the erection of their destroyed houses, and the cultivation of their lands, provided the means to do so should be furnished them in time.

Second. Taking into consideration the present excessively high prices of all necessaries, and of all other articles, and taking further into consideration, the destruction of all property, including the flouring and sawing mills: the contemplated immediate relief not to exceed the sum of two hundred dollars for each head of a family, would not be sufficient to induce the families to return to their devastated farms, to build houses, to purchase stock, seed grain, farming utensils and necessaries, to enable them to put in their crops next spring, and to live on their farms.

Third. If the settlers should not be enabled to return next spring, and their farms left lying waste, during one year more, all the fences on the same would be consumed in the meantime by prairie fires, all the once flourishing frontier settlements of our State would be reduced to a wilderness, and all the labors and privations whereby the same were once redeemed from wilderness, would be rendered thereby vain and fruitless.

Fourth. A timely and sufficient relief, and nothing else, to the sufferers from the last Indian war, will restore thousands of families to an independent arid self sustaining competency, and will save the settlements in a large portion of this State from a total annihilation.

Your memorialists, therefore, most earnestly appeal to your honorable body, to provide by law that the Commissioners to be appointed for ascertaining the damages occasioned by the Indians, may proceed at once to Minnesota, ascertain and report said damages to the Secretary of the Interior, with all possible diligence, and that said damages may be paid without delay, as soon as the report of the Commissioners shall be approved by the Secretary of the Interior.

And your memorialists will ever pray.

Approved, February 4, 1863.

In March of 1863 the Minnesota Legislature passed the following Resolution:

NUMBER XII.

1863 Laws, Resolution No. 12, Appendix, p 269

Joint Resolution Providing for the Protection of the Frontier.

Resolved by the Legislature of the State of Minnesota:

That the Governor of this State be, and is hereby authorized and empowered, to employ such force from the militia of the State, as will extend protection and security to the frontier settlements, and to remove such Indians as the safety of the State may require.

Approved, March 4, 1863.

18th Minnesota Legislature, 1876

1876 Laws, Resolution 27, Appendix, at 150.

NUMBER XXVII.

A JOINT RESOLUTION REQUESTING CONGRESS TO PASS AN ACT GRANTING PENSIONS TO THE OFFICERS AND PRIVATES OF THE MINNESOTA STATE MILITIA, WHO WERE DISABLED IN THE INDIAN MASSACRE OF 1862.

WHEREAS, The officers and privates of the Minnesota state militia were called out in the year 1862 by the governor and sheriffs of certain counties in the state of Minnesota, to render services for the protection of the citizens of said state from the Sioux Indians; and

WHEREAS, Many of said officers and privates were killed or disabled by wounds received, or disease contracted while rendering such service; and

WHEREAS, The Hon. Secretary of the Interior has decided that said officers and privates have no title to pension, because they did not volunteer, but were called out with the militia; now therefore

Be it resolved by the Legislature of the State of Minnesota:

That the senators and representatives of this state in congress be requested to use their influence to secure the passage of an act at the present session of congress granting the same pension to the said officers and private's, their widows and orphans, as is allowed to the officers and enlisted men in the army of the United States who were disabled in engagements with rebels and Indians, and their widows and orphans as provided by the act of congress, entitled " an act to revise, consolidate and amend the laws relating to pensions, approved March 3, 1873, and that the time for presenting and perfecting the claims of such officers and privates, and also of all state militia men and non-enlisted persons to pension on

account of disability from wounds or injury received in battle with Indians, while temporarily rendering service, be extended to July 4, 1877."

Resolved, further, that the governor be requested to forward copies hereof to our senators and representatives in congress.

Approved March 3, A.D. 1876.

28th Legislature, 1893

Resolutions 9 and 15 were pleas from the Minnesota Legislature to Congress to provide for four individuals who were survivors of the Dakota War.

NUMBER 9.

1893 Laws, Resolution 9, at pp. 416-418

The senate and house of representatives of the Legislature of Minnesota to the senate and house of representatives of the Congress of the United States in Washington, D. C., Greeting:

The thrilling scenes and horrors connected with the Indian massacre in 1862 have gone into history. Yet many who fought for their homes, friends, wives and children, are still living.

That your honorable body may readily understand the justice and consistency of this our recommendation and memorial, we herewith subjoin an extract from the report of Capt. Geo. C. Whitcomb, commanding detachment at Forest City in Meeker county, sixteen miles from Acton, where the first killing by the Indians was perpetrated on Sunday, Aug. 17, 1862. In his report Capt. Whitcomb says:

"On the first of September, 1862, Capt. Eichard Strout ninth Minnesota infantry, was on the march with his company from Glencoe in McLeod county, by way of Hutchinson and Cedar Mills, to the little hamlet of Acton in Meeker county. On the

second inst, while en route to Green Lake with 35 of my command to relieve some refugees said to be in imminent danger there, I was attacked by over 100 Indians, at Peterson's field, while the men were eating dinner. But we were not napping and made the best of a slow retreat to Forest City, ten miles away, knew every foot of the ground and halted whenever the presence of lakes and marshes prevented our being flanked, and the Indians getting possession of the road in our front. We had five men badly wounded on this day and the day previous. We were five hours making the ten miles. On my arrival at Forest City I found a carrier with, dispatches from Capt. Strout, saying he would camp at Acton that night. I took in the situation at once, and reasoned thus: Capt Strout tells me he has encountered no Indians—has seen none — he asks are there any? If so, where are they? His men think they are chasing a phantom. His men will be tired to-night and will sleep soundly.

I knew Crow's scouts had dogged Strout's march that day to find where he camped. But better judgment told me (reasoning from what I had seen and the reports of my scouts) there were something more than 300 of Crow's choicest warriors which could be congregated by him for an attack on Strout's command that night. I knew that Crow was at Swede Grove in the afternoon, ten miles from where Strout would camp. I know Crow to be a wary foe, and would not let Strout getaway if he can help it. If I can put Strout on his guard, it may be well, but if not, not a man of his command will see the sun rise tomorrow morning. My determination was fixed in ten minutes. Strout must be informed of what was sure to come, by or before 12 o'clock that night, or all was lost. Beside this, his men were armed with the Belgian gun, and our ammunition would not fit a gun of foreign make of like calibre; he must be informed of the fact. It was nearly sundown. My best men had been in the saddle since six in the morning. The men fell in for roll call. I called for three men to carry dispatches to Acton who were acquainted with the topography of the country.

Jesse Branham, Jr., Albert H. Sperry and Thomas Holmes stepped forward with alacrity. I put the brave trio in charge of Branham with instructions to avoid the hard road, and to keep on the open prairie where the grass would give no sound of the horses' feet; full well I knew that at every grove on the traveled road Crow's satellites were waiting for messengers from me to Strout. As I put the package in Branham's hand, and took the hand of the three brave 'Paul Reveres' with a heartfelt good-bye, I thought there was forty-nine chances against them to one in their favor to get through in safety, yet I was proud of them, and I am proud of them to-day. The distance they traveled was over 25 miles. The sky became cloudy as they neared the camp; the instinct of the horses kept the trail. A dim camp-fire in the yard, beside which the tired, undisciplined guard lay sound asleep in fancied security. They were aroused. Strout was called up, my dispatch read, the ammunition was examined and found as I told him. A detail was put to work fitting cartridges, a council was held; other guards were posted, and some slept; others did not; some slept their last sleep. At daylight the bugle called to fall in, and Strout's command started on the march for Forest City, a point they never reached. With Branham to guide them by way of Kelley's bluff they started, but in ten minutes they were attacked by 300 Indians, stripped to the breechclout. Branham was shot through the body, a Springfield rifle ball passing through the left lung; Sperry's horse was shot twice under him. Holmes had several hand to hand encounters, but he bore a charmed life and came out of the fight more dead than alive.

It has been shown beyond any shadow of doubt that when Branham, Sperry and Holmes were within six rods of Strout's camp, a head warrior, a brother-in-law of Little Six, with his warriors, stood on the road, and on their approach fell back eleven on each side, which allowed them to pass in unobserved. The programme was to attack Strout at three o'clock in the morning. Red Dog was to lead the attack on the north, Mic-aw-pan-eta on the east, Little Six on the south, and Bald Eagle, a renegade chief of Standing Buffalo's band, on the

west. Signals were given by hooting, in imitation of an owl, from the tops of tall trees, to show the localities of the leaders. Crow had the supervision of the attack. At 3 A. M. the final signal was to be given and the harvest of death begun, but the awful consequences were averted by the timely message carried by these three men who proved themselves to be of the bravest of the brave."

We therefore deem it but justice that these men should be in some measure rewarded for saving the lives of those 76 men at a risk to themselves which seemingly could only be averted by their wearing a charmed life.

They are all still living, but in indigent circumstances. Branham is greatly enfeebled, naturally, by having a Springfield rifle musketball hurled through, the most vital part of his body.

"We therefore memorialize congress in the name and on behalf of the house of representatives of the state of Minnesota, the senate concurring, that an appropriation of such a just and reasonable sum may be made as will enable those brave men to pass the remainder of their lives in a reasonable degree of comfort, and that they will neither be dependent on the charity of others, nor want for the necessaries of life.

Approved March 9, 1893.

NUMBER 15.

1893 Laws, Resolution 15, at p. 421

A memorial to the Congress of the United States relating to the claim of Francis M. Kennedy.

To the Congress of the United States:

Whereas, the military authorities of the United States, through the officers in command of the United States troops at Mankato, Minn., for the suppression of the Sioux Indians, after their outbreak in the year 1862, caused grain and stock to the value of four hundred and seventy dollars to be taken from the

farm of Francis M. Kennedy, in the county of Nicollet, it being the property of said Kennedy, for the support of said troops, the said Kennedy being then and for a long time thereafter engaged in the service of the United States as a volunteer for the suppression of the rebellion with his command in the South, and by reason thereof unable to present or prosecute his claim for said property.

Now, therefore, your memorialists, the legislature of the state of Minnesota, would most respectfully represent and urge upon the congress of the United States to speedily make an appropriation of said sum for the payment of said claim.

Approved April 11, 1893.

STATE OF MINNESOTA,
OFFICE OF SECRETARY OF STATE.

Related Article

“The Winnebago and Sioux-Dakota Removal Acts” (1863).

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