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*“Mr Indian, dead” : A Case Study of
Chief Little Crow’s “Lynching”*

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for the degree of MA by Research
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Abstract

Lynching scholars have recorded seven lynchings of Indians in the state of Minnesota. However, by using the nineteenth-century definition of lynching, this case study will show that the lynching of Dakota Indians was sanctioned, endorsed and carried out by Minnesotans following the Dakota Uprising in 1862. After the Dakota Uprising, Minnesotans used the act of lynching – both in legal and extralegal terms – against the Dakota Indians. The legal lynching of 38 Dakota Indians in Mankato, Minnesota, on 26 December 1862 was part of America’s broader policy of Indian removal and relocation. During this policy, there were more executions of Indians than at any other time in American history. This legal lynching was not deemed sufficient because some Dakota Indians including Little Crow escaped the noose and continued to roam Minnesota’s frontier. These roaming Indians were considered hostile by Minnesotans. Thus, on 4 July 1863, Minnesota introduced a state sponsored scalping bounty which allowed Minnesotans to legally lynch Indians. The previous day, however, on 3 July 1863, a white father and a son lynched one of two Indians who were picking raspberries at the time. The Indian they lynched was later found out to be Little Crow; although the two white men did not know this at the time, all that mattered was another Indian was dead. Like many other lynchings, the lynching of “Mr. Indian” was not the end. Instead, on 4 July 1863, “Mr Indian’s” corpse was scalped and then the body was taken to Hutchinson, where it was displayed and further mutilated as part of this frontier town’s Independence Day celebration. This case study will show the strong correlation between the Dakota Uprisings and the lynching of Indians in Minnesota. Not only will this increase the number of Indians lynched in Minnesota but it furthers our understanding of white-Indian violence and lynching in a broader context.

Preface

The arrival of whites to the land of the Dakota Indian in the seventeenth century set up a mutually beneficial relationship that continued during the height of the fur trade. As the fur trade began to die out and whites began moving on to Indian land, however, the once rewarding and workable relations between the Dakota Indians and whites living among them changed dramatically.¹ Over two centuries the number of whites in the land of the Dakota Indian had been relatively small but the grant of territorial status to Minnesota in 1849 set the stage for the influx of a “new kind of European.”² These Europeans would not be drawn by the fur trade, but rather by the prospect of land. In 1850, it is said that there were 6,077 whites in Minnesota.³ By 1857, the white population in the Minnesota territory increased to 150,037.⁴ Then, in 1860, two years after statehood, the number of white increased to 172,023.⁵ In a place where Dakota Indians had once outnumbered whites by 1850 they found themselves surrounded and white intruding on their traditional hunting grounds. As a result, the Dakota Indians became more dependent on the support of the United States for supplies and food.⁶ This in turn meant that they were drawn into the “cash economy” of Minnesota’s newcomers that developed as rapidly as these newcomers spread their commercial and agricultural activities over the land.⁷ To a great extent, this took place through a series of treaties between the United States and various representatives of the Dakota Indian people that would dispossess the Dakota Indians of their land.

In 1856, Minnesota applied for its admission into the Union. On 24 December 1856, Henry M. Rice, Delegate from the Territory of Minnesota, introduced a bill to authorise the people of that Territory to form a constitution and State government with a view to their admission

¹ Howard J. Vogel, "Rethinking the Effect of the Abrogation of the Dakota Treaties and the Authority for the Removal of the Dakota People from their Homeland," *William Mitchell Law Review*, Vol. 39, No. 2, (2013), pp. 538 – 581, (p. 544)

² *Ibid*, p. 544

³ ‘Resident Population and Apportionment of the U.S. House of Representatives’, U.S. Census Bureau, <https://www.census.gov/dmd/www/resapport/states/minnesota.pdf> (accessed 2 April 2017)

⁴ Rhoda R. Gilman, ‘Territorial Imperative: How Minnesota became the 32nd State’, *MN History Magazine*, 1998 – 1999, pp. 155 – 171, (p. 169) <http://collections.mnhs.org/MNHistoryMagazine/articles/56/v56i04p154-171.pdf> (2 April 2017)

⁵ ‘Resident Population and Apportionment of the U.S. House of Representatives’

⁶ Vogel, *Rethinking the Effect*, p. 544

⁷ *Ibid*, p. 544 – 545.

into the Union.⁸ However, political obstacles “hung like a millstone about the neck of Minnesota” one of which was the “Kansas question.”⁹ At this time, Kansas was seeking admission under the “Lecompton (or Slavery) constitution”, and many of the southern senators were eager to postpone action upon the Minnesota bill until the “Kansas question” was disposed of.¹⁰ In this respect, they were successful. Some argued that the Kansas and Minnesota bills should be taken up together, while others opposed and argued that they should be considered separately.¹¹ The Minnesota bill was not debated in Congress until 23 March 1858. Eventually, on 6 and 7 April, a considerable amount of time was devoted to the Minnesota bill, and the vote upon it was taken on the latter date. The vote upon the bill resulted in “49 yeas and 3 nays”.¹² The bill was passed by the House as it came from the Senate on 11 May; on the same day, the Speaker and the President signed the bill.¹³ The next day, Henry M. Rice was sworn in. On 22 May 1858, a few weeks after James M. Cavanaugh and William W. Phelps of Minnesota were also sworn in. After a struggle for statehood extending from 24 December 1856 to 22 May 1858, the North Star State had enrolled among the American Commonwealths and duly represented in both branches of Congress.¹⁴

In a series of treaties executed between 1837 and 1857, the eastern Dakota Indians ceded nearly all of their land.¹⁵ Because of these treaties, the Dakota Indians became more dependent on the government’s annuity payments.¹⁶ But the corruption of Indian traders led to a lack of annuity payments which contributed to Indian starvation as well as Indian

⁸ Thomas F. Moran, *How Minnesota Became a State* (Minnesota: Minnesota Historical Society, 1898), pp. 148 – 184 (p. 149). See also, William Watts Folwell, *A History of Minnesota, 1833-1929* (St Paul: Minnesota Historical Society, 1921); Rhoda R. Gilman, ‘Territorial Imperative’; Mary Lethert Wingerd, *North County: The Making of Minnesota* (Minneapolis & London: University of Minnesota Press, 2010).

⁹ *Ibid*, p. 149

¹⁰ *Ibid*, p. 169

¹¹ *Ibid*, p. 170

¹² *Ibid*, p. 176

¹³ *Ibid*, p. 180

¹⁴ *Ibid*, p. 183

¹⁵ The Treaty of 1837; the ‘ *Traverse des Sioux* ’ (1851) and the Treaty of Mendota (1857). For information on these treaties, see Charles J. Kappler, ‘ *Indian Affairs: Laws and Treaties, Vol. II (Treaties)* ’, Oklahoma State University Library, (2016), <http://digital.library.okstate.edu/kappler/vol2/toc.htm> (accessed 13 September 2016).

¹⁶ This thesis uses the term “Dakota Indian” to refer to the Indian population in nineteenth century Minnesota. Furthermore, the word “Indian” will be used in broader discussions, but there are instances when a specific tribe names are used.

conflicts with white settlers.¹⁷ According to Governor Alexander Ramsey, “In return for their [Dakota Indian] land . . . a home had been given to them . . . and munificent provisions made for their comfort, education, and reclamation to civilized pursuits.”¹⁸ These “civilized pursuits” were Dakota Indians adopting “the dress and customs of [white] civilization” such as farming and living in houses.¹⁹ Some of the Dakota Indians adopted and began the process of assimilation such as Taoyateduta (Red Nation), or Little Crow (1810 - 1863). In the spring of 1862, after Little Crow had lost his bid to become the Mdewakanton’s tribal speaker to a farmer Indian called Travelling Nation, he began to adopt white customs such as attending the Redwood Agency’s Episcopal mission, cutting his hair, living in a house and wearing white men’s clothing.²⁰ However, on Sunday 17 August 1862, while Little Crow was attending the Episcopal chapel, the actions of four Dakota Indians forced him to choose between his own people or to continue his process of assimilation.

On the morning of 17 August 1862, four young men named Killing Ghost, Breaking Up, Runs against Something When Crawls and Brown Wing from the Rice Creek village were hunting game off the reservation in the Big Woods (a forest that covered the centre of the state and began in the region of a white settlement named Acton) to no avail.²¹ After the unsuccessful hunt, the four men decided to stop at a farm to ask for provisions. One of the young men came across a hen’s nest containing eggs; it was here an argument began: firstly whether to steal the eggs, then to accusations of cowardliness and lastly a dare to shoot a white man. Although the retellings of that fateful day vary, what resulted was the murder of five settlers – Robinson Jones, his wife, his teenage daughter and two other men.²² Between midnight and dawn on the morning of 18 August 1862 in front of Little Crow’s house, Little Crow, his closest kin and warriors from the Mdewakanton band discussed these events and decided the best course of action for the Dakota Indians.

¹⁷ Colette Routel, ‘Minnesota Bounties on Dakota Men during the U.S.-Dakota War’, William Mitchell Law Review—Faculty Scholarship, Paper 260 (2013), pp. 1-77, (p. 6).

¹⁸ Extra Session: Message of Governor Ramsey to the Legislature of Minnesota, 9 September 1862 (St. Paul: WM.

.R. Marshall, 1862), pp. 3 - 16 (p. 3)

¹⁹ Ibid., p. 4

²⁰ For more on Little Crow, see Gary Clayton Anderson, Little Crow: Spokesman for the Sioux (St Paul: Minnesota Historical Society Press, 1986)

²¹ Theodore Christian Blegen, Minnesota: A History of the State (Minneapolis and London: University of Minnesota Press, 1963), p. 260; Scott W. Berg, 38 Nooses: Lincoln, Little Crow, and the Beginning of the Frontier’s End (New York: Vintage Books, 2013), p. 6

²² Berg, 38 Nooses p. 6.

Previously, in 1854 and 1858, Little Crow led the Dakota Indian delegation over the federal government's fraudulent treaties. As a result of his visits to Washington, Little Crow believed and argued at the meeting that "fighting the whites would be a disaster to his people".²³ Little Crow continued: "We are only a little herd of buffaloes left scattered . . . [but] the white men are like locusts when they fly so thick that the whole sky is a snow-storm. You may kill one—two—ten; yes, as many as the leaves in the forest yonder, and their brothers will not miss them."²⁴ However, this reasoning fell upon deaf ears. After some questioned Little Crow's loyalty: "Ta-o-ya-te-du-ta is a coward", the disgruntled Little Crow agreed to lead the Dakota Indians into war but not without expressing a final warning and his commitment: "You will die like rabbits when the hungry wolves hunt them in the Hard Moon (January). Ta-o-ya-te-du-ta is not a coward: he will die with you."²⁵ The end of this discussion became the beginning of the Dakota Uprising which began on 18 August 1862. Little Crow and other Dakota Indian warriors attacked white settlements along the Lower Agency, and down the Minnesota River Valley. After the Dakota Uprising had been crushed on 23 September at the battle of Wood Lake, a defeat which ultimately ended Little Crow's last hope of winning the war, he and his loyal followers fled. While 1200 other Dakota Indians surrendered who were eventually taken to and imprisoned at Camp Release.

At Camp Release, Minnesota began to use the act of lynching in order to kill Dakota Indians. After 1200 Dakota Indians had surrendered, Henry Sibley appointed a Military Commission in order to try summarily those Dakota Indians who were deemed to have participated in the Dakota Uprising. Between 28 September and 3 November 1862, 392 Dakota Indian men were tried by a Military Commission of which 297 Dakota Indians were deemed guilty and sentenced to hang. But, according to the Militia Act of 1862: "[N]o sentence of death, or imprisonment in the penitentiary, shall be carried into execution until the same shall have been approved by the President."²⁶ After President Lincoln reviewed the Commission's trials, he ordered 39 Dakota Indians to be executed. Once Lincoln did so, he legitimised the Military

²³ Anderson, Little Crow, p. 132

²⁴ Hanford Lennox Gordon, *The Feast of the Virgins and Other Poems* (Chicago: Laird & Lee, 1891), p. 343-344

²⁵ "Taoyateduta is Not a Coward," *Sioux War Club, Minnesota History* 38, September 1962, p. 115 available at: <http://collections.mnhs.org/MNHistoryMagazine/articles/38/v38i03p115-115.pdf> (accessed 8 August 2016)

²⁶ Thirty-Seventh Congress, 17 July 1862, Session II, Chapter 201, p. 598, <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=629> (accessed 24 October 2015)

Commission's trials; the outcome was the legal lynching of 38 Dakota Indians (one was acquitted on the day of execution) on 26 December 1862 at Mankato.

The next act of lynching occurred between the Military Commission's trials finishing and President Lincoln's final decision during which time Minnesotans formed lynch mobs. These mobs deemed the federal government as untrustworthy and too slow, it was because of this they would take the law into their own hands and lynch the Dakota Indians. The Stillwater Messenger proclaimed if the government was to act in the name of "permanent peace", then "We tell you, Abraham Lincoln, that the remaining twenty thousand men of Minnesota will never submit to such ingratitude and wrong", and "if these convicted murderers are dealt with more leniently than other murderers are dealt with by the Government, the people of the State will take the law and vengeance in their own hands, and wo![] to any member of the hated race that shall be found within our borders".²⁷ The Messenger concluded: "No peace! — DEATH TO THE BARBARIANS!"²⁸ Minnesotan lynch mobs did not differentiate between the condemned or uncondemned Dakota Indians, but rather they defined the Dakota Indians through their Indianness. Thus, the lynch mobs defined all Dakota Indians as guilty.

Minnesota's next form of lynching began on 4 July 1863, when the Minnesota Adjutant General, Oscar Malmros, with direction from Governor Alexander Ramsey and Henry Swift, the State Lieutenant Governor, issued General Order No. 41 in order for "the more complete protection of our frontier and the extirpation of the savage fiends".²⁹ However, after the introduction of General Order No. 44 (20 July 1863) and eventually General Order No. 60 on (22 September 1863), Minnesota's scalping bounty became a way for Minnesotans to legally lynch any Dakota Indians in the state. On 3 July 1863, the day before Minnesota introduced its scalping bounty, two white men lynched an Indian. The residents of Hutchinson not only sanctioned and endorsed this killing but participated in the mutilation of the dead Indian's corpse.

²⁷ Stillwater Messenger, 'The Indian Imbroglia — Abraham Lincoln, Don't you do it!' p. 2.

²⁸ Ibid.

²⁹ Annual Report of the Adjutant General, to the Legislature of Minnesota, Session of 1864 (St. Paul: Frederick Driscoll, 1863), p. 132 – 133. See also, Routel, 'Minnesota Bounties', p. 21

Lynching in a Raspberry Patch

After hunting deer near Scattered Lake (a group of marshes and ponds a few miles north of Hutchinson) sixty-three-year-old Nathan Lamson and his son, Chauncey, appeared from a poplar grove into an open space where there were raspberries, and where Chauncey hoped to find pears.³⁰ Nathan suggested the idea they might see Indians there. Coincidentally, the two hunters came across two “red-skins” picking berries.³¹ Nathan like a “typical frontiersman” fired a shot at the elder Indian hitting him just above the hip.³² The two Indians responded and the younger of the two Indians recalled, “His [the elder Indian’s] gun and mine were lying on the ground. He took up my gun and fired it first, and then fired his own.”³³ The two pairs of men were now locked in a shootout the only foreseeable future being to kill, or be killed.

After Chauncey collected his thoughts, he rose to one knee and with his gun took aim at the elder Indian who had seen him, afterwards both men fired at the same time. “The Indian’s ball passed by the boy’s head, but the latter’s struck the Indian square in the right breast, bringing him down instantly.”³⁴ This shot killed the elder Indian.³⁵ As the elder Indian lay dying, Chauncey fled back to town unbeknown of his father’s whereabouts. Nathan had dropped and crawled away into the bushes. As Nathan lay hidden in the bushes, the younger Indian moved out of cover to kneel beside his wounded companion, after the elder Indian drank some water, he died from his wounds.³⁶

Meanwhile, after Chauncey had returned and retold the events, several men volunteered and at dawn, began their journey to the raspberry patch to look for Nathan. In the raspberry patch and with no sign of Nathan, the volunteers came across the dead Indian’s body, they removed

³⁰J. G Thompson Letter, 5 July 1863. SMHC Manuscript Collection 139, Southern Minnesota Historical Center, Memorial Library, Minnesota State University, Mankato pp. 1-5 (p. 2-3)

³¹ Thompson, p. 3

³² Walter N. Trenerry, ‘The Shooting of Little Crow: Heroism or Murder?’ Minnesota History, Vol. 38, No. 3, Special Sioux War Issue (Sep., 1962), pp. 150-153 (p. 150)

³³ ‘Wowinape’s Statement’ in Gary Clayton Anderson and Alan R. Woolworth, ed., Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862 (United States: Minnesota Historical Society Press, 1988), pp. 279-282 (p. 280)

³⁴ Thompson, p. 4

³⁵ ‘Wowinape’s Statement’, p. 280

³⁶ Ibid., p. 280

the “dead Indian’s scalp”, and brought the body back to town on a wagon.³⁷ During this time, Nathan under the cover of darkness had already made his escape and returned to Hutchinson. After the volunteers returned with proof of a dead Indian body, Nathan Lamson became “the Lion of the day.”³⁸ It was the Fourth of July and to celebrate the day the boys of Hutchinson filled the ears and nostrils of “Mr. Indian’s” corpse with firecrackers.³⁹ Later, “Mr Indian’s” body was tossed into a refuse pit of a slaughterhouse like an animal carcass.⁴⁰

The residents of Hutchinson remained unaware of “Mr. Indian’s” identity until the end of July which was twenty-six days after he had been killed. During this period, Minnesota newspapers retold the story of “Mr Indian’s” killing such as the St Cloud Democrat, who reported: “How That Indian Was Killed”.⁴¹ On 29 July, a United States military expedition moved against a “supposedly dangerous Sioux encampment near Devil’s Lake, North Dakota.”⁴² The only result of the encounter was the capture of a famished sixteen-year-old Indian named Wowinapa. After his capture, Wowinapa revealed the identity of “Mr. Indian” as his father, Little Crow. The news spread like wildfire and raised Minnesotan jubilation. Little Crow’s death was reported in newspapers across America. For example, the Daily Alta in California said that Little Crow’s death meant that “Indian hostilities to the east of the Missouri river may be considered ended.”⁴³ At the time, the significance of Little Crow’s killing was more than the killing of just another hostile Indian it represented the death of a hostile Dakota Indian who Minnesotans believed had led the Dakota Uprising in which hundreds of white Minnesotans were massacred. The next year, Nathan Lamson received the sum of five-hundred dollars for killing Little Crow, and Chauncey received payment of three-hundred dollars – despite the fact that it was his shot that killed Little Crow.

³⁷ Trenerry, ‘The Shooting of Little Crow’, p. 151

³⁸ Thompson, p. 5

³⁹ Ann Arbor Michigan, Condensed History of Meeker County, 1855-1939 (Brown Printing Company: Litchfield, 1992), p. 27

⁴⁰ Trenerry, ‘The Shooting of Little Crow’, p. 151

⁴¹ St. Cloud Democrat 16 July 1863.

⁴² Trenerry, ‘The Shooting of Little Crow’, p. 151

⁴³ For quote see, Daily Alta, 17 August 1863. For those who used the Chicago Tribune’s report, see Daily Intelligencer, August 15, 1863; The Daily Evansville Journal, 15 August 1863; Cleveland Morning Leader, 15 August 15, 1863.

Introduction

*“The only good Indians I ever saw were dead”*¹ – General Sheridan, 1869

*“The United States of Lyncherdom”*² – Mark Twain, 1901

“A dead n— is a good n—.”³

“A stereotype of a lynching can be evoked with eight words and two commas: a mob, a noose, a swinging body defiled.”⁴ That being said, a lynching is much more complex. As Michael Ayers Trotti has noted there are many differing sorts of lynching and many contrasting contexts such as place and era. For example, in the West private lynch mobs would often organise to punish alleged criminal offences. William Carrigan notes three justifications for private mob violence that had been used at different times throughout American history. First, the “frontier defence” begins by locating the scene of the lynching, declaring it “unsettled” and not yet fully civilised by the relentless movement of European American settlers towards the West.⁵ Second, “criminals are alleged to have congregated in the area because of its rough frontier conditions”.⁶ Lastly, “resourceful and practical settlers” used the act of lynching as “a necessary evil” to promote justice and law at a time when civil authorities were too slow or too weak to do so.⁷ The multiple reasons why southerners lynched African Americans in the South during the late nineteenth and early twentieth century have been highlighted by scholars to be the following: to control the African American population after their bondage had ended, and eliminate them from the South’s

¹ Edward Sylvester Ellis, *The History of Our Country from the Discovery of America to the Present Time*, (Philadelphia: The History Co., 1899), p. 1483

² Mark Twain, “The United States of Lyncherdom”, University of Virginia, 2016, <http://people.virginia.edu/~sfr/enam482c/lyncherdom.html> (accessed 16 February 2016)

³ Ray Stannard Baker, ‘What is a Lynching?’ McClure's Magazine (February, 1905), http://www.digitalhistory.uh.edu/active_learning/explorations/lynching/baker1.cfm (accessed 16 February 2016)

⁴ Michael Ayers Trotti, ‘The Multiple States and Fields of Lynching Scholarship’, *The Journal of American History*, Vol. 101 (2014) pp. 852 – 853 (p. 852).

⁵ William D. Carrigan, *The Making of Lynching Culture: Violence and Vigilantism in Central Texas, 1836 – 1916* (United States: University of Illinois Press, 2006), pp. 106 – 107.

⁶ *Ibid.*

⁷ *Ibid.*

economic, political, and social sphere.⁸ What is perhaps most complex is the differing ways in which to study lynching, hence the vastness and depth of lynching scholarship.⁹ For example, lynching scholarship has explored lynching and memory, and the way lynching has occurred in societies throughout the globe.¹⁰ Also, adding to lynching's peculiar and complex nature is the word "lynching". This particular complexity is considered in Christopher Waldrep's innovative and brilliantly historicised 2002 book, *The Many Faces of Judge Lynch*, in which Waldrep traces the "rhetoric" of lynching through American history: from when the word became a "sensation" after the lynching of gamblers in Vicksburg, Mississippi, in 1835, to its use by African American activists to resist white violence, to the

⁸ See, for example, E. M. Beck and Stewart E. Tolnay, *A Festival of Violence: An Analysis of Southern Lynchings, 1882 – 1930* (Urbana and Chicago: University of Illinois Press, 1992); E.M. Beck, James L. Massey and S. E. Tolnay, 'The Gallows, the Mob, and the Vote: Lethal Sanctioning of Blacks in North Carolina and Georgia, 1882 – 1930', *Law & Society Review*, Vol. 23, No. 2 (1989), pp. 317 – 331; *Ibid.*, 'Black Lynching: The Power Threat Hypothesis Revisited', *Social Forces*, Vol. 67, No. 3 (1989), pp. 605 – 623; *Ibid.*, 'Black Competition and White Vengeance: Legal Execution of Blacks and Social Control in the Cotton South, 1890 – 1929', *Social Science Quarterly*, Vol. 73, No. 3, (1992), 627 – 644; E. M. Beck & Timothy Clark, 'Strangers, Community Miscreants, or Locals: who Were the Black Victims of Mob Violence?', *Historical Methods: A Journal of Quantitative and Interdisciplinary History*, Vol. 35, No. 2, (2002), pp. 77 – 83; Amy Kate Bailey, S. E. Beck, E. M. Beck and Jennifer D. Laird, 'Targeting Lynch Victims: Social Marginality or Status Transgressions?', *American Sociological Review*, Vol. 76, No. 3 (2011), pp. 412 – 436; Susan Olzak, 'The Political Context of Competition: Lynching and Urban Racial Violence, 1882 – 1914', *Social Forces*, Vol. 69, No. 2, (1990), pp. 395 – 421. See also, Jonathan M. Wiener, 'Review: The "Black Beast Rapist": White Racial Attitudes in the Postwar South', *Review in American History*, Vol. 13, No. 2 (1985), pp. 222 – 226 and Walter White, *Rope and Faggot*.

⁹ Trotti, 'The Multiple States and Fields of Lynching Scholarship', p. 852. For more lynching scholarship analysis, see William D. Carrigan, 'No Ordinary Crime: Reflections on the Future of the History of Mob Violence', *The Journal of American History*, 101, (2014) pp. 847 – 849; Terence Finnegan, "'Politics of Defiance": Uncovering the Causes and Consequences of Lynching and Communal Violence', *The Journal of American History*, 101, (2014), pp. 850 – 851; Michael J. Pfeifer, 'At the Hands of Parties Unknown? The State of the Field of Lynching Scholarship', *The Journal of American History*, 101, (2014), pp. 832-846; Michael J. Pfeifer, 'Final Thoughts on the State of the Field of Lynching Scholarship', *The Journal of American History*, 101, (2014), pp. 859 – 860; Margret Vandiver, 'Thoughts on Directions in Lynching Research', *The Journal of American History*, 101, (2014), pp. 854 – 855; and Kidada E. Williams, 'Regarding the Aftermaths of Lynching', *The Journal of American History*, 101 (2014), pp. 856 – 858.

¹⁰ For examinations of lynching and "memory", see Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890 – 1940* (New York: Vintage, 1999); Jonathan Markovitz, *Legacies of Lynching: Racial Violence and Memory* Minneapolis and London: University of Minnesota Press, 2004); Amy Louise Wood, *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940* (United States: University of North Carolina Press, 2011) For lynching from a global perspective, see Manfred Berg and Simon Wendt, ed., *Globalizing Lynching History: Vigilantism and Extralegal Punishment from an International Perspective* (New York: Palgrave Macmillan, 2011)

word's use in today's America under its new guise, hate crime.¹¹ Perhaps, the most important aspect of Waldrep's investigation into the evolution and the instability of the word lynching is that he asks scholars to use the word with caution and greater precision. This case study uses the term lynching as defined in mid-nineteenth-century America, specifically the Civil War years (1861-1865). Manfred Berg suggests, during this time Americans perceived and used "the term lynching mostly to describe extralegal punishment meted out in legitimate communal self-defence, a practice they associated with conditions on the Western frontier."¹² In the nineteenth century, Waldrep explains: "folk understood lynching to mean an act of violence sanctioned, endorsed, or carried out by the neighborhood or community outside the law."¹³ A lynching did not necessarily have to involve a group or mob: a lynching could be carried out by an individual or a few individuals who believed that they were acting on behalf of a community. James Elbert Cutler, one of the first scholars to examine lynching throughout America, observed that public approval distinguishes lynching from murder and assassination.¹⁴ For example, on 26 June 1906, during a performance at Madison Square Garden, millionaire Harry Thaw shot and killed famed architect Stanford White in front of a crowd of witnesses. According to the Washington Times, Thaw killed White "for some real or fancied wrong that White had done Evelyn Nesbit, the actress and artists' model, whose marriage to young Thaw a year ago was a society sensation."¹⁵ Thus, as Waldrep asserts, Thaw killed White "under the pretext of service of justice."¹⁶ For many New Yorkers, White was a "debaucher of women, a libertine, and many agreed that Thaw's revolver had made New York a safer place for virginal women."¹⁷ Therefore, if justice and community approval are the essence of this killing, Thaw lynched White.

¹¹ For more on this and the word lynching as "rhetoric", see Christopher Waldrep, *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America* (New York: Palgrave Macmillan, 2002)

¹² Manfred Berg, *Popular Justice: A History of Lynching in America* (United States: Rowman & Littlefield, 2015), p. 69

¹³ Waldrep, *The Many Faces of Judge Lynch*, p. 3

¹⁴ James Elbert Cutler, *Lynch-Law: An Investigation into the History of Lynching in the United States* (United States: Gale, Making of Modern Law, 2010), p. 276

¹⁵ *The Washington Times*, 26 June 1906.

¹⁶ Waldrep, *The Many Faces of Judge Lynch*, p. 3

¹⁷ *Ibid.*, p. 3

Minnesota like other states was not immune to the practice of lynching.¹⁸ For example, in the summer of 1858 in Wright County, Oscar F. Jackson, a white man, was accused of killing his neighbour Henry Wallace. Jackson was arrested, tried and acquitted of the murder but many presumed Jackson's guilt. On 25 April 1859, a mob hung Jackson from the gable of Wallace's house.¹⁹ Perhaps, the most infamous lynching to occur in Minnesota was the lynching of three young African Americans – Elias Clayton (19), Elmer Jackson (19), and Isaac McGhie (20) on 15 June 1920 in Duluth, Minnesota.²⁰

Lynching in Minnesota, however, was not only white on white, or white on black. Some lynching scholars have noted that the lynching of Indians also occurred in the state. Michael Pfeifer, for example, notes that the lynchings of seven Indians took place between 1848 and 1872.²¹ All seven were lynched for murdering a white person. For instance, a mob lynched Paunais, an Ojibway Indian, for the alleged murder of a white trader. Another example is the lynching of John L. Campbell, a Dakota Indian of mixed ancestry, in 1865. Campbell was hung after a "court" of Mankato citizens found him guilty of murdering a white family and the family's worker. The seven recorded lynchings are not the only lynchings of Indians to occur in Minnesota. The lynching of Campbell was one of the repercussions of the U.S.-Dakota War. During this time, Minnesotans such as Nathan and Chauncey Lamson lynched Little Crow in a raspberry patch on 3 July 1863. Further, the hanging of 38 Dakota Indians in 1862, which precipitated the lynching of Little Crow, should be considered a legal lynching. There is something to be gained by considering these episodes within the framework of lynching. If these lynchings are added to the seven already noted, not only will this increase

¹⁸ See Marilyn Ziebarth, "Judge Lynch in Minnesota," *Minnesota History*, Vol. 55, No. 2, 1996, p. 72; John D. Bessler, *Legacy of Violence: Lynch Mobs and Executions in Minnesota* (Minneapolis: University of Minnesota Press, 2003). For an examination of murder and lynching in Minnesota, see Walter N. Trenerry, *Murder in Minnesota: A Collection of True Cases* (St Paul: Minnesota Historical Society Press, 1985)

¹⁹ For more on Oscar F. Jackson's lynching, see *Red Wing Sentinel*, 7 May 1859; and Trenerry, *Murder in Minnesota*, esp. pp. 13 – 24

²⁰ For more on the Duluth lynching, see Michael Fedo, *The Lynchings in Duluth* (St. Paul: Minnesota Historical Society Press, 1993)

²¹ For lynchings Indians, Africans Americans and whites in Minnesota, see appendix in Michael J. Pfeifer, *Lynching Beyond Dixie: American Mob Violence Outside the South* (United States: University of Illinois, 2013) p. 287-290. See also Michael J. Pfeifer, *The Roots of Rough Justice: Origins of American Lynching*, (Chicago: University of Illinois, 2011), p. 103; Bessler, *Legacy of Violence*, p. 2 – 5. For specific cases of the lynchings of Indians see, Bessler, *Legacy of Violence*, Paunais, 1848, p. 5; Charles Gebabish, "Jimmy," and Joe Shambeau, 1857, p. 5; John Campbell, 1865, pp. 8 – 11; Gegoonce and his brother Tebekokechickwabe, 1872, p. 13. See also Trenerry, *Murder in Minnesota*.

the number Indian lynchings, but more importantly it will allow us to better understand the practice of lynching and the ways in which legal, extralegal, and legitimate forms of violence intertwine, both in Minnesota and across the United States.

Both Duluth and Meeker County have commemorated where the killings took place. On 10 October 2003, 'The Clayton Jackson McGhie Memorial' was built in downtown Duluth to remember the three African Americans who were lynched on 15 June 1920. The words that adorn the tall L-shaped monument are, "An event has happened, upon which it is difficult to speak and impossible to ignore".²² In contrast, the words that adorn the plaque on the boulder which was erected in 1929 to indicate where Little Crow was killed are, "Chief Little Crow Leader of the Sioux Indian outbreak was shot and killed about 330 feet south of this point by Nathan Lamson and his son Chauncey July 3, 1863".²³ One of the plaques can be seen as a commemoration for the unlawful mob killing of three young African American males; the other can be seen as the place where an Indian chief was killed for his leadership and involvement in the unjust killing of innocent white settlers on the Minnesota frontier. Further, the locations – both spatial and temporal – of the two commemorations are important: the Duluth lynching took place in a modern urban environment while Little Crow was killed on the rural frontier. This does suggest why the two are remembered in different ways. Little Crow was killed on the frontier where many believed that killing rebellious Indians was a necessary and just act especially when Indians had killed whites. However, the Duluth lynching occurred in what was perceived as a thriving, modern environment: namely, a place where a lynching was not meant to occur therefore it is remembered as an unjust killing of three innocent African American men. Despite the differences, we can see how both the Duluth lynching and the lynching of Little Crow are remembered and they also allow us to examine the use of violence in Minnesota against those defined as the racial other. In short, the examination of lynching in Minnesota reveals the diverse and varying ways that individuals and communities approved the use of extralegal punishment in Minnesota.

²² For more on the Duluth lynching memorial, see 'The Clayton Jackson McGhie Memorial', <http://www.claytonjacksonmcghie.org/> (accessed 20 August 2016)

²³ For a photo of the plaque, see Carrie Reber Zeman, 'Lamson's Daughter Tells the Story of Little Crow's Death', *A Thrilling Narrative of Indian Captivity: Dispatches from the Dakota War of 1862*, (2011) <https://athrillingnarrative.files.wordpress.com/2012/05/dscn3172.jpg> (accessed 20 August 2016)

For some time scholars have sought to recover and illuminate the history of collective violence that claimed the lives of thousands of people in the United States.²⁴ It is due to this work that we now know much more about the practice of lynching in the United States, including where, when, why, and how it occurred. Yet, as Pfeifer correctly states, “Southern historians have led the way producing rich analyses of postbellum lynching violence below the Mason-Dixon line”, and it is only recently that “historians [have] acknowledged . . . that the practice of lynching has a national history, that victims of racially motivated lynchings were as diverse as the targets of American racial prejudice, and that western lynching cannot be dismissed as insignificant compared to southern lynching or simply explained through the invocation of the lawless frontier.”²⁵ It is rather peculiar that no extensive examination or research has been carried out primarily focusing on the lynchings of Indians during any period of the United States. Ken Gonzales-Day notes that “No one tries to defend the lynching of African Americans in the South as a popular form of capital punishment (as many Anglo-Americans once did), but the lynching of blacks, Asians, Indians, and Latinos continues to be defended in many historical texts and popular representations as an unavoidable part of the taming of the West.”²⁶ Historians have tended to see violence between Europeans and Indians as revolving around what Helen McLure calls, the “rubric of warfare”.²⁷ Thus, Indian scholars are examining the broader patterns of Indian-white violence such as war, massacres and battles because they believe that these examples allows them and

²⁴ For examinations of lynching in the South, see, for example, Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19th-Century American South* (New York and Oxford: Oxford University Press, 1984); Brundage, *Lynching in the New South*; W. F. Brundage, *Under the Sentence of Death: Lynching in the South*, ed., (Chapel Hill & London: North Carolina Press, 1997); Carrigan, *The Making of Lynching Culture*; W. J. Cash, *The Mind of the South* (New York: Vintage Books, 1941); Jacquelyn Dowd Hall, *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching* (New York: Columbia University Press, 1974), esp. Chapter 5: ‘A Strange and Bitter Fruit’ pp. 129 – 157; Trudier Harris, *Exorcising Blackness: Historical and Literary Lynching and Burning Rituals* (Bloomington: Indiana University Press, 1984); Raper, *The Tragedy of Lynching*; Tolnay and Beck, *A Festival of Violence*; Christopher Waldrep, *Roots of Disorder: Race and Criminal Justice in the American South, 1817 – 80* (Urbana and Chicago: University of Illinois Press, 1998).

²⁵ Pfeifer, *The Roots of Rough Justice*, p. 2

²⁶ Gonzales-Day, *Lynching in the West*, p. 34

²⁷ Carrigan, *The Making of Lynching Culture*, p. 31 – 32. Helen McLure, “‘Who Dares to Style This Female A Woman?’ Lynching, Gender, and Culture in the Nineteenth-Century U.S. West’ in Pfeifer, *Lynching Beyond Dixie*, p. 25. For general but excellent examinations of Indian warfare including Little Crow, see Dee Brown, *Bury My Heart at Wounded Knee* (London: Vintage, 1991); Angie Debo, *A History of the Indians of the United States* (London: Pimlico, 1995); Alvin M. Josephy, Jr., *The Patriot Chiefs: A Chronicle of American Indian Resistance* (New York: Viking Press, 1969); James Wilson, *The Earth Shall Weep: A History of Native America* (London: Picador, 1998).

us to fully understand Indian-white conflict. Benjamin Madley has begun to change this sentiment with his examination of the varying acts of violence against California Indians.²⁸ But there still needs to be more research aimed at the specific acts of violence against Indians such as vigilantism, mob violence and lynching not only across different eras but across the country.

However, John Ross has observed that the violent interactions between Indians and white colonists can be considered lynching and perhaps the origin of lynching in the United States: “The true origin of lynching in this country is inseparable from the history of the Indian wars and the colonial mobs which dealt out summary corporal punishment.”²⁹ Furthermore, the “battles with Indians often were hardly distinguishable from lynchings.”³⁰ To illustrate this point, Ross uses the conflict between the Plymouth settlers and the Massachusetts Indians in the spring of 1623. At this time, rumours of a pending attack by Chief Witawamet circulated around Plymouth, Miles Standish and his “army” of nine took it upon themselves to pacify the fear, the result was the killing of seven Massachusetts Indians.³¹ This encounter defined the “climate of violence” that would continue throughout the era of the Indian wars.³² During this era, as Ross suggests, much of the killing was done by “small bands of irregulars, men of the community who got together to go out and kill their red neighbours in retaliation for a raid or even to pre-empt a rumored attack.”³³ In order to relate this back to the lynch mob, Ross observes, “Their attitude was similar to that of lynch mobs, except that they attacked groups of Indians without regard to their individual identities.”³⁴ Thus, according to Ross, the difference between the lynchings of Indians and the lynchings of African Americans revolves around identity. Instead of killing an individual who was identified, these small bands of whites killed Indians because they happened to be Indians. This view, however, is too broad because it implies that the lynchings of Indians only happened on a broader scale in instances such as massacres. That being said, the hostile relations between Indians and whites, as James Elbert Cutler observed, “directly encouraged a popular disregard of all legal procedure on the

²⁸ See Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe* (New Haven and London: Yale University Press, 2016)

²⁹ Ross, *At the Bar of Judge Lynch*, p. 69

³⁰ *Ibid.*, p. 69 – 70

³¹ *Ibid.*, p. 69 – 70

³² *Ibid.*, p. 69

³³ *Ibid.*, p. 70

³⁴ *Ibid.*, p. 70

part of the whites when dealing with Indians.”³⁵ Indeed, this disregard of legal procedure continued as the frontier moved westward and white demand for land became (in their minds) increasingly necessary. Examining the lynchings of Indians does not detract from the significance of Indian-white warfare or the lynchings of African Americans that took place in the late nineteenth and early twentieth century. In reference to the latter, analysing another victimised race in an earlier context would deepen and indeed complicate our knowledge of racial violence. Some have acknowledged that the practice of lynching did claim the lives of Indians. But, unlike African American victims, there is no systematic collection of quantitative or qualitative data that contemplates the number of Indians who died at the hands of lynch mobs.³⁶

The lack of data is a result of the African American anti-lynching activists who carried out much of the early work on lynching.³⁷ Particularly important are the investigations, the annual lists of lynchings, and definitions published by the Chicago Tribune, the Tuskegee Institute, and the National Association for the Advancement of Colored People (NAACP). One result of their campaign against lynching was making the word “lynching” hold such an emotional value: by the end of the nineteenth century and arguably beyond, lynching had solely been defined in a “black-white nexus.”³⁸ As William Carrigan and Clive Webb have pointed out, these organisations divided lynching victims into only “two racial categories, black and white”.³⁹ As a result, these organisations placed non-black minorities who were not considered “white” by white mobs—such as Mexicans, Indians, and Chinese—into the category of white, instead of separately categorizing victims into racial or ethnic groups.⁴⁰

In 1940, anti-lynching activists agreed on a definition of a “lynching” stipulating that “there must be legal evidence that a person has been killed, and that he met his death illegally at the

³⁵ Cutler, *Lynch-Law*, p. 46

³⁶ For examples of those who have noted Indian lynchings, see appendices in Gonzales-Day, *Lynching in the West*; Pfeifer, *Rough Justice*; Pfeifer, *Lynching Beyond Dixie*; William Carrigan and Clive Webb, *Forgotten Dead*.

³⁷ For the documents through which the campaigners used to criticise American mob violence and lynching, see Ida B. Wells, *Crusade for Justice: The Autobiography of Ida B. Wells* (Chicago & London: The University of Chicago Press, 1970); and Walter White, *Rope and Faggot: A Biography of Judge Lynch* (Indiana: University of Notre Dame Press, 2001).

³⁸ Waldrep, *The Many Faces of Judge Lynch*, p. 8

³⁹ W. D Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848-1928*, (United States: Oxford University Press, 2013), p. 10 – 13

⁴⁰ *Ibid*, p. 10 – 13

hands of a group acting under the pretext of service to justice, race, or tradition.”⁴¹ Although their data collection was perhaps problematic, Ken Gonzales-Day perceives their definition of lynching as useful: not only because it recognises the “means of death” but also because it suggests that determining factors such as “justice, race, or tradition” can be considered as sociological dimensions of lynching.⁴² Therefore, this case study will combine these elements with the broader nineteenth century definition of lynching as community-approved justice in order to provide a rounded examination of Little Crow’s lynching.

Arguably, James Elbert Cutler’s 1903, *Lynch-Law: An Investigation into the History of Lynching in the United States* began lynching scholarship. For lynching scholars like Waldrep, Cutler’s work remains the standard. Cutler examined the evolution of lynching as an act; he argued during the American Revolution “Lynch Law” did not necessarily mean death but punishment which included tarring and feathering, whipping, hanging from the thumbs and branding. Cutler concluded that neither racial prejudice nor psychological reasons were adequate explanations for lynching but rather Cutler suggests that at the root of lynching was the American “attitude toward the law”.⁴³ Thus although lynching was illegal it was justifiable.

During the “Nadir” (1890 – 1940), mobs in the New South believed that by punishing those who were considered undesirable, regardless of race, ethnicity, or gender, they could define and mould a way of life outside the law. This was sometimes performed in a “spectacle lynching”— a public execution in front of spectators numbering between a few hundred and tens of thousands and often involving the torture, burning and mutilation of the corpse.⁴⁴ These “spectacle lynchings” are the ones that have captured scholars’ attention more than any

⁴¹ As quoted in W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (United States: University of Illinois, 1993), pg. 17

⁴² Ken Gonzales-Day, *Lynching in the West: 1850-1935* (United States: Duke University Press, 2006), p. 43

⁴³ Cutler, *Lynch-Law*, p. 267

⁴⁴ For studies that examine spectacle lynchings, see, for example, James M. SoRelle, ‘The "Waco Horror": The Lynching of Jesse Washington’ *The Southwestern Historical Quarterly*, Vol. 86, No. 4 (Apr., 1983), pp. 517-536; for a first person account of the lynching of Henry Smith in Paris, Texas, in 1893, see P. L. James, *The Facts In The Case of the Horrible Murder of Little Myrtle Vance and its Fearful Expiation at Paris, Texas, February 1st, 1893 with photographic illustrations* (Paris, Texas: P. L. James, 1893); Raymond M. Hyser and Dennis B. Downey, “A Crooked Death: Coatesville, Pennsylvania and the Lynching of Zachariah Walker”, *Pennsylvania History: A Journal of Mid-Atlantic Studies*, Vol. 54, No. 2 (1987), pp. 85 – 102. For other examinations of spectacle lynchings see, Hale, *Making Whiteness*. For the lynching’s spectacle, see Wood, *Lynching and Spectacle*

other but they were rare. The vast majority of lynchings were carried out by private mobs. Brundage notes: “Rather than public events in which large numbers participated in a communal performance, lynchings by private mobs can be best understood as a form of private punishment.”⁴⁵ Although private mobs were “secretive” and small sometimes with as few as four to five participants and rarely exceeding fifty, they performed “collective acts of vengeance, often by relatives and friends of someone allegedly harmed by the mob’s victim.”⁴⁶

These private mobs, however, did not only lynch African Americans. Lynching scholars have shown that the lynchings of Mexicans, Chinese, and Italians are part of America’s history of lynching. For example, Clive Webb has examined the lynching of Sicilians in New Orleans and the lynching of Mexicans across the Southwest.⁴⁷ What these studies have ultimately shown is that lynching was as broad racially as it was geographically across America. In line with this, the lynching of Indians did occur during and after the Dakota Uprising in which between 400 and 600 whites were killed.⁴⁸ There is something to be gained by considering this within the framework of lynching.

To do this, the first chapter examines the legal lynching of the 38 Dakota Indians and the state-sponsored scalping bounty introduced in Minnesota. Both of which show that Minnesota used legal methods to lynch Dakota Indians. From the beginning of the Dakota Uprising and throughout the U.S.-Dakota War, the conflict was defined by white innocence and Indian savagery. Like the U.S.-Dakota War, the Military Commission’s trials were defined by race – out of 392 trials 297 Dakota Indians were deemed guilty thereby showing these trials were based on racial discrimination. Further, this legal lynching occurred during America’s Indian policy of relocation and removal. During this period, America’s use of capital punishment against the Indian was more prevalent than any other time. As part of this

⁴⁵ Brundage, *Lynching in the New South*, p. 28

⁴⁶ Michael J. Pfeifer, *Rough Justice: Lynching and American Society, 1874 – 1947* (Urbana and Chicago: University of Illinois Press, 2006), p. 39

⁴⁷ Clive Webb, ‘The Lynching of Sicilians Immigrants in the American South, 1886-1910’, *American Nineteenth Century History*, Vol. 3, No. 1, pp. 45-76. For the lynching of Chinese, see, for example, Scott Zesch, *The Chinatown War: Chinese Los Angeles and the Massacre of 1871* (New York: Oxford University Press, 2012)

⁴⁸ Chomsky, ‘United States – Dakota War Trials’, pp. 21 - 22. See also, Kenneth Carley, *The Dakota War of 1862: Minnesota’s Other Civil War*, 2nd ed., (St Paul: Minnesota Historical Society, 1976), p. 1.

broader pattern of racial discrimination and the use of capital punishment, Minnesota used this legal lynching to rid the state of what it deemed to be its Indian problem. The first chapter also examines Minnesota's scalping bounty. Not only did this encourage Minnesotans disdain towards Indians in the state but more important when Minnesota sanctioned and endorsed this bounty it allowed Minnesotans to legally lynch Dakota Indians.

According to nineteenth century definition of lynching, "Mr. Indian's" killing was an act of extralegal punishment that was metered out in communal self-defence and supported by a community. By definition, then, on 3 July 1863 "Mr. Indian" was lynched. Minnesota was a young state in 1863 as it only joined the Union in 1858; this frontier state was a place where white citizens like the Lamsons took the law into their own hands. By taking the law into their own hands, they lynched an Indian who was picking raspberries with his son. The second chapter examines what occurred after the lynching of "Mr. Indian" on 4 July 1863. After Chauncey returned to Hutchinson he looked for volunteers to go in search for his father who was missing and presumed dead. Once in the raspberry patch, the volunteers did not find Nathan instead they found the body of "Mr. Indian" which they scalped and then brought back to Hutchinson. In this frontier town, both the lynching and the Fourth of July were celebrated by displaying the body for the whole town to see and mutilating the corpse with firecrackers. By displaying and mutilating "Mr. Indian's" body, Hutchinson not only revealed that they sanctioned and endorsed the lynching of this Indian but they participated in the lynching either by witnessing or mutilating the body. Because this was the Fourth of July, it shows the Indian was excluded from the day that America celebrates Americanness and Hutchinson was declaring itself independent from the Indian.

The final chapter examines images within the contexts of lynching, specifically the stereoview of Little Crow's scalp and the photograph of the hanging of two Dakota Indians, Little Six and Medicine Bottle, at Fort Snelling in 1865. When the Dakota Uprising began, photographs were taken which defined the U.S.-Dakota War in racial terms: namely, a war of white innocence and Indian savagery. By examining these images in the context of the U.S.-Dakota War, they show how lynching and the use of capital punishment at this time were justified as one of white vengeance against Indian criminality. As previously stated, when the volunteers found the body of "Mr. Indian" in the raspberry patch they scalped the corpse. The final chapter examines the act of scalping in general as well as how Little Crow's scalp

became a trophy in Minnesota once the identity of “Mr. Indian” was revealed which was twenty-six days after he had been lynched by the Lamsons. With his identity now known, Little Crow’s skull, scalp and arm bones on display at the Minnesota Historical Society as well as the stereoview of Little Crow’s scalp became the ways in which Minnesota as a state sanctioned and endorsed the lynching of the Indian who they believed and defined as the leader of the Dakota Uprising.

Ultimately, by considering these episodes within the framework of lynching, this case study will show that the killing of Dakota Indians in Minnesota during this time can best be understood as lynchings. In addition, as previously stated, if these lynchings are added to the seven Indian lynchings in Minnesota already noted not only will the number of Indian lynchings in this state be much higher, but more important it will allow us to better understand the practice of lynching and the ways in which legal, extralegal and legitimate forms of violence intertwine in Minnesota as well as across the United States.

Chapter 1: “Legal Lynching” and Scalping Bounties

On 7 November 1862, John Pope sent a telegram to President Lincoln with the names of 297 Dakota Indians, “Half-breeds”, and the name of Joseph Godfrey, a black Dakota, who had been “condemned to be hung” by a Military Commission.¹ In response, Lincoln requested the “full and complete records of these convictions”.² As Lincoln contemplated his decision, mob violence against the Dakota Indians became real. In response to this, Governor Alexander Ramsey asserted: “Nothing but the Speedy execution of the tried and convicted Sioux Indians will save us here from Scenes of outrage. If you prefer it turn them over to me & I will order their Execution.”³ On 6 December, Lincoln notified Brigadier General Henry Sibley of the 39 “Indians and Half-breeds” that were to be “executed”.⁴ Then, on 11 December, Lincoln told the Senate about how he reached his decision. Lincoln stated:

I caused a careful examination of the records of trials to be made, in view of first ordering the execution of such as had been proved guilty of violating females. Contrary to my expectations, only two of this class were found. I then directed a further examination, and a classification of all who were proven to have participated in massacres, as distinguished from participation in battles. This class numbered forty, and included the two convicted of female violation. One of the number is strongly recommended by the Commission which tried them, for commutation to ten years' imprisonment. I have ordered the other thirty-nine to be executed on Friday, the 19th. instant.⁵

This exchange of letters and Lincoln’s speech was the result of the Dakota Uprising in Minnesota in 1862. Over time, lynching became Minnesota's way to kill Dakota Indians.

¹ John Pope to Abraham Lincoln, Friday 7 November 1862, The Abraham Lincoln Papers, (2016), [http://lcweb2.loc.gov/cgi-bin/query/r?ammem/mal:@field\(DOCID+@lit\(d1942800\)\)](http://lcweb2.loc.gov/cgi-bin/query/r?ammem/mal:@field(DOCID+@lit(d1942800))) (accessed 12 August 2016).

² Abraham Lincoln to Pope, 10 November 1862, *ibid*, (2016), <http://quod.lib.umich.edu/l/lincoln/lincoln5/1:1082.1?rgn=div2;view=fulltext;q1=Sioux> (accessed 12 August 2016)

³ Alexander Ramsey to Abraham Lincoln, 28 November 1862, *Ibid*, (2016), [http://lcweb2.loc.gov/cgi-bin/query/r?ammem/mal:@field\(DOCID+@lit\(d1980500\)\)#I170](http://lcweb2.loc.gov/cgi-bin/query/r?ammem/mal:@field(DOCID+@lit(d1980500))#I170) (accessed 12 August 2016)

⁴ Abraham Lincoln to Henry Sibley, 6 December 1862, *Collected Works of Abraham Lincoln*, Volume 5. (2016), <http://quod.lib.umich.edu/l/lincoln/lincoln5/1:1137.1?rgn=div2;singlegenre=All;sort=occur;subview=detail;type=simple;view=fulltext;q1=Sioux> (accessed 12 August 2016)

⁵ Lincoln to the Senate 11 December 1862, *ibid*, (2016), <http://quod.lib.umich.edu/l/lincoln/lincoln5/1:1154.1?rgn=div2;submit=Go;subview=detail;type=simple;view=fulltext;q1=guilty> (accessed 12 August 2016)

Three acts of lynching will be examined in this chapter. First being the legal lynching of 38 Dakota Indians. Second, the Minnesotan lynch mobs. The third being Minnesota's state sponsored scalping bounty. On one hand, we have Minnesotan lynch mobs which can be confidently defined as extralegal. These mobs deemed the federal government – particularly Lincoln – as being too slow and that their final decision would be too lenient on the Dakota Indians. In response, Minnesotans were prepared to take the law into their own hands and lynch Dakota Indians. The lynch mobs did not distinguish between the condemned or uncondemned Dakota Indians therefore the lynch mobs only defined the Dakota Indians through their "Indianness." On the other hand, the other two forms of lynching – the trials and use of capital punishment, and Minnesota's scalping bounty – blur the lines between what is legal, extralegal, and legitimate. The aim of this chapter, then, is to examine the blurring of these lines to show how Minnesota used lynching in terms of the legal and extralegal, which in their minds were legitimate. First, we will examine the legal lynching of 38 Dakota Indians on 26 December 1862 at Mankato.

Lincoln proposed those found guilty of “violating females” were to be the ones executed. However, to Lincoln's surprise, only two deemed were guilty of this. He, therefore, expanded his classification of guilt to those who participated in massacres – in this classification, he found 39 Dakota Indians to be guilty. Thus, he ordered the execution of 39 Dakota Indians. Not only did Lincoln's final decision permit the execution of 38 Dakota Indians (one being acquitted on the day of the execution), but he also legitimised and legalised the trials by Henry Sibley's Military Commission.

From the conception of this Military Commission, its aim was to legally lynch as many Dakota Indians as possible. After the battle at Wood Lake, many Dakota Indians including Little Crow fled, whilst other Dakota Indians believed surrender to be the best policy. On 13 September 1862, in a letter, “To those of the Half-Breeds and Sioux Indians who have not been concerned in the murder and outrages upon the white settlers”, Sibley stated that his intention was not to “injure any innocent person, but to punish those who have committed the cruel murders of innocent men, women, and children”; he, therefore, offered those who wished to withdraw from the “guilty”, the opportunity to “hoist a flag of truce” to which

Sibley would take these Dakota Indians under his “protection.”⁶ However, once the Dakota Indians had surrendered, Sibley’s objective became clear. He stated:

I am encamped near camp of one hundred and fifty lodges of friendly Indians and half-breeds, but have had to purge it of suspected characters. I have apprehended sixteen supposed to have been connected with the late outrages, and have appointed a military commission of five officers to try them. If found guilty, they will be forthwith executed, although perhaps it will be a stretch of my authority. If so, necessity must be my justification.⁷

Sibley knew his “authority” was unable to “stretch” to give the order of execution because the Militia Act of 1862 stated: “[N]o sentence of death, or imprisonment in the penitentiary, shall be carried into execution until the same shall have been approved by the President.”⁸ Through “necessity”, however, Sibley and the Military Commission had to legally lynch the Dakota Indians.

During the Civil War, the army conducted at least 4,271 trials by Military Commission.⁹ Cases mostly involved spies and “irregular bands” often called “bushwhackers” — these were pro-Confederate fighters who did not wear military uniforms and were not organised in a regular way.¹⁰ Numerous trials took place in “the western theatre of operations”, or “strife-torn border states” such as Missouri, Kentucky, and Maryland.¹¹ Missouri, for example, had

⁶ United States. War Dept., *The War of Rebellion: A Compilation of the Official Records of the Union and Confederate Armies Series 1, Vol. 13* (Washington: Govt. Print. Off, 1885), p. 632.; Cornell University Library Ithaca, New York, ‘Making of America’, (2016), <http://ebooks.library.cornell.edu/cgi/t/text/textidx?c=moawar;cc=moawar;view=toc;subview=short;idno=waro0019> (accessed 24 October 2016)

⁷ *Minnesota in the Civil and Indian Wars, 1861 – 1865*, (St Paul, MN: Pioneer Press Company), p. 746

⁸ Thirty-Seventh Congress, 17 July 1862, Session II, Chapter 201, p. 598, <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=629> (accessed 24 October 2015)

⁹ Mark E. Neely Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York, Oxford: Oxford University Press, 1991), p. 168. For more on Military Commissions, see Willard B. Cowles, ‘Trial of War Criminals by Military Tribunals’, *American Bar Association Journal*, Vol. 30, No. 6 (1944), 330 - 333, 362; David Glazier, ‘Precedents Lost: The Neglected History of the Military Commission’, *Forthcoming Virginia Journal of International Law*, Vol. 46, No. 1 (2005), pp. 1 - 82; Michael O. Lacey, ‘Military Commissions: A Historical Survey’, *The Army Lawyer*, (2002), pp. 41 - 47; and William Winthrop, *Military Law and Precedents*, esp. ‘Trial and Punishment of Offences under the Law of War — The Military Commission’, pp. 831 - 846, <https://archive.org/details/cu31924020024570> (accessed 21 November 2016).

¹⁰ Detlev F. Vagts, ‘Military Commissions: A Concise History’, *The American Journal of International Law*, Vol. 101, No. 1 (2007), pp. 35 – 48 (p. 38 – 39)

¹¹ *Ibid*, 38 - 39; Neely Jr., *The Fate of Liberty*, p. 168.

the largest number: 1,940.¹² During this period of war, the Union Army executed 267 soldiers of which 141 were executed for desertion.¹³ In addition, these military executions were part of the broader use of the death penalty in America.

Between 1800 and 1865, the use of the death penalty increased significantly. This was, in part, due to changes in the death penalty legislation in the first quarter of the century. For example, in New York in 1796, the death penalty was limited to treason and murder; however, in 1808 “residential arson” became a capital crime.¹⁴ In Indiana in 1807 “rape, arson, and horse stealing” were made capital crimes.¹⁵ As a result, during this period, the number of executions increased over the number of executions from the entire seventeenth and eighteenth centuries (from 1,553 to 2,443).¹⁶ Between 1825 and 1850, America was in reform: as executions increased, so, too, did the anti-death penalty movement – a movement that changed the public sentiment about the death penalty.¹⁷ In 1830, Connecticut became the first state to ban public executions; by 1860, all northern states as well as Delaware and Georgia in the South had shifted the “site of execution” from the public square to an enclosed jail yard.¹⁸

As America was reforming its methods of capital punishment, it was also reforming its Indian removal and relocation policy (1828 - 1887). In this period, the use of capital punishment resulted in more Indian executions than any other time.¹⁹ The number of executions totalled 193 which is nearly half of all Indian executions in American history.²⁰ According to David V. Baker, the main reason for this large number stems from “Indian resistance to the brutal methods of the military to effect the national government’s removal policies.”²¹ In other words, this was vastly becoming a way for America to institutionalise the ways in which they

¹² Neely Jr., *The Fate of Liberty*, p. 168

¹³ Robert M. Bohm, *DeathQuest: An Introduction to the Theory and Practice of Capital Punishment in the United States*, 4th ed., (Waltham: Anderson Publishing, 2012), p. 110

¹⁴ *Ibid*, p. 6

¹⁵ *Ibid*, p. 6

¹⁶ *Ibid*, p. 6

¹⁷ For more on death penalty abolitionists, see Bohm, *DeathQuest*, pp. 6 – 7.

¹⁸ *Ibid*, p. 7 – 8.

¹⁹ Baker, ‘American Indian Executions in Historical Context’, p. 335. For a list of known Indian executions between 1639 and 2006, see ‘Registry of Known American Indian Executions, 1639-2006’ Death Penalty Info, www.deathpenaltyinfo.org/documents/AmericanIndianRegistry.pdf (accessed 20 November 2016)

²⁰ *Ibid.*, p. 335

²¹ *Ibid.*, p. 335

could remove the Indian. Local authorities in Alabama, Arkansas, California, Minnesota, Oklahoma and Oregon executed nearly ninety-seven percent of Indians for murder. All but one of the Indian prisoners executed (whose sex is “unknown”) were male, and most were hung.²² Minnesota had the highest number of Indian executions during this period because of the hanging of 38 Dakota Indians for their alleged participation in the massacres of white Minnesotans. In 1864, three other Dakota Indian men—Little Six, Medicine Bottle, and Wowinapa—were also tried for their alleged participation in the Dakota Uprising. As a result of these trials, on 11 November 1865, Little Six and Medicine Bottle were convicted and hung at Fort Snelling. Both soldiers and citizens were in attendance, viewing the spectacle and collecting souvenirs.²³ Meanwhile, Wowinapa, Little Crow’s son, was sent to Camp McClellan, in Davenport, Iowa, to be confined with the other Dakota prisoners, after Congress enacted a statute for the removal of the four bands of Dakota Indians from Minnesota.²⁴

What the hanging of the 38 Dakota Indians, Little Six and Medicine Bottle does show is Indians being put on trial by a Military Commission and legally executed as a result of an Indian uprising. Another example occurred after the Modoc War (1872 - 1873) when six Modocs were tried by a Military Commission between 1 – 9 July 1873 for the killing of Brigadier General Canby and Reverend E. Thomas, a “peace commissioner”; because these killings occurred during a “temporary truce” they were considered “a breach of the laws of war”.²⁵ In the end, the four Modoc Indians were executed at Fort Klamath on 3 October, whereas the “two lesser participants” were commuted by President Ulysses S. Grant and sentenced to life imprisonment at Alcatraz.²⁶ This method is rare in white and Indian hostilities, however. Typically, these hostilities did not involve even the pretence of legal proceedings or that “savages” could be summarily executed. In her examination of the

²² Ibid., p. 335

²³ Jack Shuler, *The Noose: A History* (New York: Public Affairs, 2014) pp.147 – 153

²⁴ An Act for the Removal of the Sisseton, Wahpaton, Medawakanton, and Walhpakoota Bands of Sioux or Dakota Indians, and for the Disposition of their Lands in Minnesota and Dakota (3 March 1863), <http://www.loc.gov/law/help/statutes-at-large/37th-congress/session-3/c37s3ch119.pdf> (accessed 12 August 2016); Chomsky, ‘United States – Dakota War Trials’, p. 37 - 40

²⁵ Francis Paul Prucha, *American Indian Policy in Crisis: Christian Reformers and the Indian, 1865 - 1900* (Norman: University of Oklahoma, 1976), pp. 85 - 88. See also William Winthrop, *Military Law and Precedents*, 2nd ed., (Washington: Government Printing Office, 1920), p. 786, 834, 837, <https://archive.org/details/cu31924020024570> (accessed 21 November 2016)

²⁶ Ibid., 87

Dakota Indian trials, Carol Chomsky argues that the trials of the Dakota Indians were “conducted unfairly” in a number of ways. She asserts:

The evidence was sparse, the tribunal was biased, the defendants were unrepresented in unfamiliar proceedings conducted in a foreign language, and authority for convening the tribunal was lacking. More fundamentally, neither the Military Commission nor the reviewing authorities recognized that they were dealing with the aftermath of a war fought with a sovereign nation and that the men who surrendered were entitled to treatment in accordance with that status.²⁷

In addition, the Military Commission not only made the lynching of these Dakota Indians legal, but it also depicts the broader Indian discriminatory justice system. As we have seen, such Indian discrimination is evident in the number of Indians being legally executed during America’s Indian relocation and removal policy. Furthermore, after the trials were completed the number of Dakota Indians found guilty was 297 suggesting that this Military Commission wanted to execute as many Dakota Indians as possible. The trials, then, were not only to legally lynch Indians but it served as a way to achieve the broader goal of literally removing the Indian from Minnesota by way of death.

Initially, on 27 September 1862, Sibley appointed a three man Military Commission.²⁸ The next day, however, Sibley informed Pope he had appointed a five man Military Commission.²⁹ The order given authorised the Commission to “try summarily the Mulatto, and Indians, or mixed bloods, now prisoners, or who may be brought before them . . . and pass judgement upon them, if found guilty of murders or other outrages upon the Whites, during the present State of hostilities of the Indians.”³⁰ This order defined the U.S-Dakota War as a race war which shows that the Commission was to “pass judgement” on the basis of race: namely, black, “mixed-blood”, and Indian. Thus, the trials were racially biased because it only judged those on one side of the war. In his account, Gabriel Renville, a half-Dakotan, who opposed the Dakota Uprising, said the trials were where the Dakota Indians “would be sifted as you would sift wheat, the good grain to be put into the bin, but the chaff and the bad seeds to be burned.”³¹ To “sift” the Dakota Indians, Sibley appointed Lieutenant Colonel

²⁷ Chomsky, ‘The United States-Dakota Trials: A study in Military Injustice’, p. 90

²⁸ See, The War of Rebellion, Sibley to Pope, 27 September 1862, pp. 679 - 680

²⁹ Ibid. Sibley to Pope, 28 September 1862, pp. 686 - 687

³⁰ Order as quoted in, Chomsky, ‘The United States-Dakota Trials, p. 23

³¹ Gabriel Renville, ‘A Sioux Narrative of the Outbreak in 1862, And of Sibley’s Expedition in 1863, pp. 595-618 (p.608), available at <https://ia902205.us.archive.org/7/items/siouxnarrativeof00renvrch/siouxnarrativeof00renvrch.pdf>

William Marshall, Colonel William Crooks, Captain Hiram P. Grant, Captain Hiram S. Bailey, Lieutenant Rollin C. Olin was the Commission's judge advocate (the prosecutor), and Adjutant Isaac Heard of McPhail's Mounted Rangers as Recorder.³² Rev. Steven Riggs, who knew the Dakota language, gathered evidence "in a tent", where he interrogated the "suspected parties" and assigned witnesses to the appending charges against the Dakota Indians. Isaac Heard, the Commission's Recorder, said Riggs served as the "Grand Jury of the court."³³ The Military Commission had been battling with the Dakota Indians only a few days prior to the start of the trials, and now they were expected to "try summarily" the Dakota Indians which they did over a period of forty days.

The first to be tried by the Commission was the "Mulatto" Joseph Godfrey. Joseph Godfrey was born into slavery in 1835 because his mother, Courtney, was a black slave – whereas, his father, also named Joseph Godfrey, was a white Canadian Frenchman.³⁴ In the late 1840s, when Godfrey was about seventeen years old he became a fugitive slave, and at some point fled to the Mdewakanton Dakota Indian village.³⁵ Slaves' escaping to sanctuary with Indians is not all that uncommon. For example, many fugitive slaves lived amongst and eventually married into the Seminole Indians in Florida.³⁶ Godfrey, a runaway slave, thought that living with Dakota Indians was the safest option at this time.

According to Godfrey, when the Dakota Uprising began a Dakota Indian told him "to take up the hatchet, and that I [Godfrey] must fight with the Indians, and to do the same they did, or I would be killed."³⁷ It is unclear whether Godfrey was a willing participant or not in the Dakota Uprising but when Godfrey surrendered with other Dakota Indians his race and the rumours (or facts) that he had killed more than any Dakota Indian put him at great risk of being lynched at Camp Release, where he was seen as "the object of most bitter malediction".³⁸ Thus, Godfrey's race and reputation spurred on soldiers to lynch him. In a letter to Sibley, Isaac Heard said, "These statements [of allegations or facts] favoured the

³² Chomsky, 'The United States-Dakota Trials, p. 24.

³³ Heard, History of the Sioux War and Massacres of 1862 and 1863, p. 251

³⁴ Walt Bachman, Northern Slave Black Dakota: The Life and Times of Joseph Godfrey (Bloomington: Pond Dakota Press, 2013) (eBook)

³⁵ Ibid.

³⁶ Ibid.

³⁷ Isaac Heard, History of the Sioux War and Massacres of 1862 and 1863 (New York: Harper & Brothers, Publishers, 1863), p. 193

³⁸ Ibid, p. 189

natural prejudice against his [Godfrey's] color, to a white heart, and he would have been lynched, when we caught him with the Indians, at Camp Release, had the soldiers been permitted to act, as citizens would have acted."³⁹ Clearly, Godfrey's imprisonment in a makeshift log jail saved him from being lynched.

The first charge brought against Godfrey was murder of "seven white men, women, and children (more or less)", and he was also said to have "join[ed] and participate[d] in the murders and massacre committed by the Sioux Indians."⁴⁰ At first, Godfrey was given the death sentence for the second charge. However, after Godfrey aided and testified in fifty-five cases and only after many Dakota Indians were sentenced to death was Godfrey's execution reduced by President Lincoln to ten years in prison, only three of which Godfrey served.⁴¹ As a result of Godfrey's testimony, the Commission deemed "[I]mprisonment is severe enough in view of the great service he [Godfrey] has rendered the Commission in their investigation."⁴² Despite the fact that Godfrey was initially sentenced to death, when the Commission used Godfrey's "great service" it does suggest the Commission's aim was to put only Indians or "mixed breeds" to death (which they did). So to a certain extent Godfrey was used to achieve this end but only after many Dakota Indians were sentenced to death. Because Godfrey was black and therefore not a Dakota Indian, this implies that the Commission would use the words of a runaway black slave over that of Dakota Indians, thus making the Dakota Uprising and eventually punishment strictly on the racial line of Indian, or "mixed blood". In some ways, this runaway slave was considered racially superior to Dakota Indians which is not only reflected in the Commission's use of Godfrey's testimony against the Indians but in the Commission's recommendation for Godfrey's imprisonment rather than his initial sentence of death. The legal lynching of the 38 Dakota Indians does veil racial discrimination because of the use of capital punishment.

Some contest that legal trials and capital punishment cannot convey racial superiority like lynching once did. Brundage argues: "[N]o legal lynching could convey the full, frightful

³⁹ Letter from "H" (Isaac Heard) reprinted in *The Stillwater Messenger*, 25 November 1862; see also Bachman, *Northern Slave Black Dakota* (eBook)

⁴⁰ Case 1: Godfrey (O-ta-kle), *Records of Selected Cases Decided by the Military Commission Sitting in Minnesota, Dakota Trials*, (2016), <http://law2.umkc.edu/faculty/projects/ftrials/dakota/Godfrey.html> (accessed 20 October 2016)

⁴¹ Bessler, *Legacy of Violence*, p. 45

⁴² Bachman, *Northern Slave Black Dakota* (eBook)

symbolism of white supremacy that lynching by seething mobs had once conveyed.”⁴³ Although legal lynching does conceal the symbolism of supremacy, it does not mean that it is not present it is just more difficult to differentiate. Timothy V. Kaufman-Osborn proclaims: “Whereas lynchings visibly marked the bodies of its victims as black and so reconsolidated the color line that was indispensable to the reproduction of racial subordination, key elements of . . . capital punishment veil that line and so render its contribution to racial subordination more difficult to apprehend and so to contest.”⁴⁴ Despite the blurring of the lines, there is a correlation between racial discrimination in lynching and its continuation into the use of capital punishment. This is evident in the numbers of lynchings which occurred in the South, a method which was eventually substituted by the South’s use of capital punishment as a means to punish its black population. A method that was veiled under the illusion of the legal but was in fact no more than legal lynching.

Across the South, during the period of 1882 – 1930 it is estimated that there were a total of 2,805 lynchings of which 2,314 were black.⁴⁵ In Kentucky from 1866 to 1934, for example, the state had reported a total of 346 lynchings the majority of victims were black (257), and whites accounted for the remaining numbers.⁴⁶ Like the lynching of blacks, the southern use of capital punishment followed an almost identical pattern conducting fifty-six percent of all execution in the United States.⁴⁷ Thomas J. Keil and Gennaro F. Vito point out, Kentucky’s use of capital punishment followed its use of lynching against blacks: between 1866 and 1934, out of 193 cases of capital punishment just under sixty percent were black.⁴⁸ Of course, there are other factors that resulted in the decline of lynching of blacks in the South and its increase in the use of capital punishment but the two do intertwine. In 1907, James E. Cutler asserted: “[T]o abolish capital punishment in this country is likely to provoke lynching.

⁴³ Brundage, *Lynching in the New South*, p. 256-257

⁴⁴ Timothy V. Kaufman-Osborn, ‘Capital Punishment as Legal Lynching?’ in Ogletree and Sarat, ed., *From Lynch Mobs to the Killing State*, pp. 21-54 (p. 23)

⁴⁵ Thomas J. Keil and Gennaro F. Vito ‘Lynching and the Death Penalty in Kentucky, 1866–1934: Substitution or Supplement?’, *Journal of Ethnicity in Criminal Justice*, (2009), Vol. 7, No. 1, pp. 53-68 (p. 54); Tolnay and Beck, *A Festival of Violence*, p. 48. See also Stephen B. Bright, ‘Discrimination, Death, and Denial: Race and the Death Penalty’, in David R. Dow and Mark Dow, *Machinery of Death: The Reality of America’s Death Penalty Regime* (New York & London: Routledge, 2002), pp. 45 - 78

⁴⁶ Keil and Vito ‘Lynching and the Death Penalty in Kentucky, 1866–1934: Substitution or Supplement?’, p. 54

⁴⁷ *Ibid.*, p. 54

⁴⁸ *Ibid.*, p. 54 - 55.

Whenever unusually brutal and atrocious crimes are committed, particularly if they cross racial lines, nothing less than the death penalty will satisfy the general sense of justice that is to be found in the average American community.”⁴⁹ Such a sentiment was clear in Minnesota between the trials ending and Lincoln’s final decision.

Although Minnesota’s lynch mobs were not the determining factor in the legal lynching of the Dakota Indians, they are evidence that Minnesotans were ready to take the law into their own hands. For the lynch mobs that attacked the Dakota Indians on their journeys to their respective place of imprisonment—the condemned to Mankato and the uncharged to Fort Snelling—it mattered little whether these Dakota Indian were condemned or uncondemned. To these lynch mobs, what defined the Dakota Indians guilt was their “Indianness”.

On 9 November 1862, the uncharged Dakota Indians along with their wives and families, and the relatives of the condemned Dakota Indians – a total of “1,658 souls” in the command of Lieutenant Colonel William R. Marshall of the Seventh Minnesota began their journey to Fort Snelling.⁵⁰ On the same day, the condemned Dakota men “were started off for Mankato”.⁵¹ On 11 November, the “uncondemned prisoners” reached the frontier town of Henderson, where the streets were “crowded with an angry and excited populace, cursing, shouting and crying.”⁵² Samuel J. Brown, who was part of Marshall’s attachment, recounted:

Men, women and children armed with guns, knives, clubs and stones, rushed upon the Indians . . . succeeded in pulling many of the old men and women and even children from the wagons by the hair on the head, and beating them, and otherwise inflicting injury upon the helpless and miserable creatures. I saw an enraged white woman rush up to one of the wagons and snatch a nursing baby from its mother’s breast and dash it violently upon the ground. The soldiers’ [sic] instantly seized her and led or rather dragged the woman away, and restored the papoose to its mother—limp and almost dead. Although the child was not killed outright, it died a few hours after. The body was quietly laid away in the crotch of a tree a few miles below Henderson.⁵³

Because this lynching mob was compiled of men, women and children, it shows that the community of Henderson sanctioned the lynching of Dakota Indians. The violence against the Dakota Indian men, women and children highlights the fact that this community

⁴⁹ J. E. Cutler, ‘Capital Punishment and Lynching’, *The Annals of the American Academy of Political and Social Science*, Vol. 29, Tariffs, Reciprocity and Foreign Trade, (1907), pp. 182 – 185 (p. 185)

⁵⁰ Samuel J. Brown’s Recollection, in Anderson and Woolworth, ed., *Through Dakota Eyes*, p. 227.

⁵¹ *Ibid*, p. 227

⁵² *Ibid*, p. 227

⁵³ *Ibid*, p. 227

considered all Dakota Indians as guilty. Perhaps, most telling is Brown witnessing a woman grabbing and throwing a Dakota Indian baby to the ground. It does seem, then, the citizens in Henderson were not concerned with these Dakota Indians' guilt because they perceived all Dakota Indians – even infants – as guilty which is shown by their violence towards all of these Dakota Indians. Like the prisoners on their way to Fort Snelling, the convicted prisoners also faced mob violence. Renville recalled:

On the way, when they were passing through the town of New Ulm, the whites were very much excited. Both men and women, coming with stones and bricks, and pitchforks, and anything they could lay their hands on, and rushing through the ranks of the soldiers who were guarding them, attacked the chained prisoners in the wagons, and knocked many of them senseless. The guards, striking these whites with their sabers, drove them back.⁵⁴

This example does not suggest the presence of children only the presence of the men and women of New Ulm. Their intent of lynching the Dakota Indians is evident in their use of weapons – bricks and stones as well as pitchforks. Although those guarding the Dakota Indians at Henderson eventually acted, it seems the soldiers at New Ulm were more intent on guarding these prisoners which suggests that the soldiers in Henderson sympathised with the settlers and therefore endorsed their violence. Ultimately, the prisoners reached Mankato. On the night of 4 December around eleven o'clock a mob of nearly two hundred men “avowed intention of murdering the condemned” Dakota Indian prisoners.⁵⁵ This mob attack was avoided by Colonel Steven Miller who surrounded the mob and took several of them prisoners but subsequently released them.⁵⁶

As Tolnay and Beck point out, a mob was not concerned with establishing a person's guilt; rather, the mob's accusation was enough to kill and their behaviour was an “exercise in justice” that served the “larger social good.”⁵⁷ So, when citizens in Henderson and New Ulm attempted to lynch the Dakota Indians, their actions show that white Minnesotans were not concerned with establishing a Dakota Indians' guilt or innocence because in their eyes all Dakota Indians were guilty. Thus, all Dakota Indians were defined through their “Indianness”.

⁵⁴ Renville, 'A Sioux Narrative', p. 609 – 610

⁵⁵ Letter from Henry H. Sibley to Brigadier General Elliot, 6 December 1862, *Minnesota in the Civil and Indian Wars, 1861 – 1865*, Vol. II, (St Paul, MN: Pioneer Press Company, 1893), p. 290 – 291

⁵⁶ *Ibid*, p. 291

⁵⁷ Tolnay & Beck, *Festival of Violence*, p. 88

Minnesota's newspapers reported they would sanction the state's lynch mobs if Lincoln was not going to sanction the execution of the Dakota Indians. The Mankato Independent stated: "That they will be finally executed either by the order of the President, or by the will of the people, who make Presidents."⁵⁸ The Saint Paul Pioneer also commented: "We have hopes that . . . capital punishment shall be metered out to the condemned by the proper authorities" however if this is not the case, the Pioneer concluded: "[W]e feel very confident that the people will take the matter into their own hands, and do substantial justice."⁵⁹ Thus, there was a widespread sentiment that if the government was not willing to carry out legal executions, Minnesotans were ready to sanction, endorse, and apply lynch law.

After the legal lynching of the 38 Dakota Indians, there were calls for more action against those Dakota Indians who still went unpunished such as Little Crow and his band who fled after the battle of Wood Lake. Murder and theft continued to plague the frontier, crimes which Minnesotans believed to have been committed by roaming, hostile Dakota Indians. As a result, Minnesota introduced a state-sponsored scalping bounty which served similar purposes to the legal lynching of 38 Dakota Indians: removal and the legal killing of Dakota Indians. Because the act of scalping and the scalp are both intrinsic to a scalping bounty, they will be examined in much more detail in chapter 3.

This was not Minnesota's first scalping bounty. In 1860, Minnesota's Legislators enacted: "An Act to Encourage the Destruction of Black Birds". The act states: "For all black birds' scalps so delivered . . . at the rate of forty cents per hundred".⁶⁰ It seems that Minnesota used a scalping bounty for the "destruction" of those who they considered a menace to the state: the black bird and the Indian.

On 4 July 1863, the Minnesota Adjutant General, Oscar Malmros, with direction from Governor Alexander Ramsey and Henry Swift, the State Lieutenant Governor, issued General Order No. 41, which offered rewards for "the more complete protection of our frontier and the extirpation of the savage fiends who commit these outrages."⁶¹ Order No. 41's aim was

⁵⁸ As quoted in John A. Haymond, *The Infamous Dakota War Trials of 1862: Revenge, Military Law and the Judgement of History* (North Carolina: McFarland & Company, Inc., 2016), p. 101

⁵⁹ *Ibid*, p. 101

⁶⁰ *St. Cloud Democrat*, 17 May 1860

⁶¹ *Annual Report of the Adjutant General, to the Legislature of Minnesota, Session of 1864* (St. Paul: Frederick Driscoll, 1863), p. 132 – 133. See also, Routel, 'Minnesota Bounties', p. 21

for “corps of volunteer scouts” to “scour the Big Woods from Sauk Centre to the Northern boundary of Sibley county” for sixty days.⁶² Corps themselves would be made up of one captain and forty to sixty men who would be divided into squads of five or more with pay of one dollar and fifty cents per day.⁶³ In addition, a “compensation of twenty five dollars will also be given to any body [sic] for each scalp of a male Sioux delivered to this office”—the office being that of the Adjutant-General.⁶⁴ This measure was seen to serve as both for protection from Dakota Indian outrages on Minnesota’s frontier and, according to the St. Cloud Democrat, the “extirpation of the savage fiends”.⁶⁵

On 20 July 1863, Malmros amended the original bounty order. General Order No. 44 limited the application of the bounty to “hostile” Sioux warriors rather than all Dakota men. General Order No. 44 permitted private citizens not otherwise part of the volunteer scouts to receive a \$75 bounty payment.⁶⁶ Then, on 22 September 1863, Malmros introduced General Order No. 60 which raised the bounty to \$200: “In order to increase the number of “Independent Scouts,” scouring the “Big Woods,” by offering them ample reward, and in order to secure a more effective protection of our frontier settlements against marauding Indians”.⁶⁷ When Minnesota adopted a state-sponsored scalping bounty, the state became part of a tradition because state-sponsored scalping bounties recur throughout American history.⁶⁸ Unlike the nineteenth-century definition of lynching—an act of violence that was sanctioned, endorsed, or carried out by a neighbourhood or community outside the law—Minnesota’s scalping bounty was an act of violence that was sanctioned, endorsed and paid for by the state. Therefore, a scalping bounty is a legal lynching because a scalping bounty not only permits ordinary citizens to legally kill Indians under state orders but citizens could kill without fear of punishment by the authority of law.

According to the Annual Report of the Adjutant-General, the scalping bounty was paid out from the Military Contingent fund on four occasions: on 6 July Jas. H. Bates was paid \$25 for

⁶² Ibid., p. 132

⁶³ Ibid., p. 132

⁶⁴ Ibid., p. 132

⁶⁵ St. Cloud Democrat, 09 July 1863

⁶⁶ Annual Report of the Adjutant General, to the Legislature of Minnesota, Session of 1864, p. 135 – 136. Routel, ‘Minnesota Bounties’, p. 24 and p. 29 footnote 192.

⁶⁷ Ibid, p. 138. See also Routel, ‘Minnesota Bounties’ p. 24

⁶⁸ For more on the history of scalping bounties, see Benjamin Madley, ‘Reexamining the American Genocide Debate: Meaning, Historiography, and New Methods’ *The American Historical Review*, Vol. 120, No. 1, (2015), pp. 98 - 139 (pp. 114 – 117).

his receipt of a scalp; W. M. Allen on 7 August was paid \$75 for “killing one Sioux warrior”; on 31 August Julius Schmidt was paid \$5 for “Tanning Indian scalp”; and J. C. Davis on 9 October was paid \$25 for “killing one Sioux warrior”.⁶⁹ Routel notes another payment was made to Simon and Oscar Horner on 26 November 1863. Oscar Horner did not receive payment immediately rather he was paid the \$200 bounty under General Order No. 60 on 15 February 1865.⁷⁰ All of these men profited in one-way-or-another from the killing and scalping of a Dakota Indian. For Dakota Indians at this time Minnesota became a dangerous place because the state’s scalping bounty sanctioned and endorsed the lynching of Dakota Indians within the state, regardless of any criminal intent. More importantly, the bounty allowed Bates, Allen, Davis, and the Horners to legally lynch Indians. The origin of these legal lynchings can be traced back to the Dakota Uprising. Similarly, the lynching of John Campbell in 1865 was not only one of the reverberations of the Dakota Uprising and shows that white Minnesotans still perceived Dakota Indians as an object of hatred and suspicion, but also this lynching prompted the introduction of a scalping bounty in Blue Earth County.

On 2 May 1865, a sudden Indian raid occurred in the village of Garden City, Blue Earth County (approximately ten miles south of Mankato) at the farm of the Jewett family. The raid resulted in the killing of Andrew J. Jewett, Harriet his wife, Jewett’s parents Mark and Susan, and Chas who was working for the Jewetts.⁷¹ The only survivor was the Jewett’s two-year old son, William.⁷² For Minnesotans this raid and murders suggested there was going to be another statewide Dakota Indian uprising. The pursuit, capture, and killing of John Campbell, a half Dakota – his father was of Scotch ancestry and he was also the brother of Baptiste Campbell, one of the 38 Dakota Indians hung at Mankato in 1862 – acknowledges this.⁷³ Whilst Campbell was being held in jail, Peter Kelly, a frontiersman, arrived in Mankato with

⁶⁹ See, Annual Report of the Adjutant General, to the Legislature of Minnesota, Session of 1864, Bates, p. 163; Allen, p. 164; Schmidt, p. 165; Davis, p. 166.

⁷⁰ Executive Documents of the State of Minnesota for the Year of 1865 (St. Paul: Frederick Driscoll, 1866), p. 285

⁷¹ Thomas Hughes, History of Blue Earth County and Biographies of its leading Citizens (Chicago: Middle West Publishing Company, 1901), p. 149

⁷² Ibid, p. 149

⁷³ John Fletcher Williams, A History of the City of Saint Paul (St. Paul: Minnesota Historical Society Press, 1876), p. 134 - 135

word from John Campbell's brother, Scott, that John was leading a band of marauding Dakota Indians who planned to steal horses and attack Mankato.⁷⁴

On 3 May 1865, on the courthouse block, Campbell was brought before a "court" made up of citizens of Mankato: the jury were "impartial, substantial businessmen" and Sheldon F. Barney and John A. Willard performed the role of judge and judge advocate, respectively.⁷⁵ After Campbell was found "guilty" by the "court" for the murder of the Jewetts, a crowd of several hundred citizens shouted, "Hang him"; it was after several failed attempts Campbell slowly choked to death from a tree.⁷⁶ Apparently, the mob complied with Campbell's last request: for his body to be sent to his mother at Traverse des Sioux for burial.⁷⁷ In response to the killing of her son, Marguerite Menager Campbell tried to begin an uprising but she failed to do so. Ultimately, she was placed under military arrest and detained.⁷⁸ Perhaps, the mob complied with Campbell's request because it showed that the mob was in some respects humane or most probable the body could serve as a warning to show the consequences of an Indian murdering whites as well as subduing any Dakota Indians contemplating another uprising. This is exactly what happened in the aftermath of slave rebellions when whites used the bodies of slaves to subdue any further rebellions. For example, after Nat Turner's rebellion in Southampton, Virginia, in 1831, had ended, he was captured, tried, convicted, and executed. After his execution, Turner's body was reportedly "delivered to the doctors, who skinned it and made grease of the flesh."⁷⁹ Furthermore, Turner's skin was made into souvenirs such as purses and his bones divided as trophies which apparently were used as heirlooms.⁸⁰ After Turner's rebellion, "Panic flashed through Virginia accompanied by a reign of terror."⁸¹ During this reign of terror, blacks were "tortured to death, burned, maimed

⁷⁴ Hughes, *History of Blue Earth County*, p. 152

⁷⁵ See Hughes, *History of Blue Earth County*, p. 152 – 153.

⁷⁶ *Ibid*, p. 153

⁷⁷ *Ibid*, p. 154

⁷⁸ Trenergy, *Murder in Minnesota*, p. 44

⁷⁹ William Sidney Drewry, *The Southampton Insurrection* (Washington: The Neale Company, 1900), p.102. For more on the aftermath of Nat Turner's rebellion, see John W. Cromwell, 'The Aftermath of Nat Turner's Insurrection', *The Journal of Negro History*, Vol. 5, No. 2 (1920), pp. 208 - 234; Lydia Plath, *Not one Black was Spared that Fell into their Hands: North Carolina's Reaction to the Nat Turner Rebellion* (Warwick University: MA Thesis, 2006), esp. Chapter 8, 'A negro's head presented itself stuck upon a pole': The post-mortem treatment of executed slaves', pp. 153 - 166.

⁸⁰ Cromwell, 'The Aftermath of Nat Turner's Insurrection', p. 218

⁸¹ Herbert Aptheker, *Nat Turner's Slave Rebellion including the 1831 "Confessions"*, 2nd ed., (New York: Dover Publications, 2006)

and subjected to nameless atrocities.”⁸² The display of mutilated black bodies sought to serve as warnings of consequence and white dominance to any blacks who might be considering a rebellion. It appears, then, that John Campbell’s body served similar purposes in particular, a warning of consequences and white dominance.

As previously stated, the lynching of John Campbell prompted the introduction of a scalping bounty. On 17 May 1865, the Board of County Commissioners of Blue Earth County passed a bounty of \$200 for every hostile Indian scalp taken in Blue Earth County.⁸³ Thereby, the government in Blue County Governor legitimised the lynching of Campbell. More importantly, Governor Stephen Miller acknowledged but was not concerned that this was an extralegal killing. Rather, Governor Miller stated that Campbell “was apprehended, and his guilty participation having been fully demonstrated, he was summarily hung at Mankato without reference to the ordinary forms of law.”⁸⁴ The lynching of John Campbell was legitimised even though it was extralegal. In December 1866, the year after Campbell’s lynching, the residents in the German town of New Ulm, Minnesota, lynched Alexander Campbell (no relation to John Campbell) and George Liscom. This lynching is significant because it took the lynching of two white men to end Minnesota’s bounty system.⁸⁵

It was Christmas and this holiday was being celebrated in the saloons of New Ulm. Although Campbell and Liscom were white Yankee trappers, they were dressed in “Indian fashion”. Campbell, for example, was wearing “a dark blue hood, moccasins, and a sheath knife in his belt.”⁸⁶ Whilst drinking and playing cards in the National Saloon the two men were joined by John Spenner, a Civil War veteran. As the afternoon progressed, Spenner convinced Campbell and Liscom to perform like Indians so as “Spinner [sic] agreed to drum on a kettle” Campbell and Liscom “dance[d], with war[w]hoops, and scalping mimicry for the amusement of the crowd.”⁸⁷ The atmosphere soon changed. After an altercation between Campbell, Liscom, and Spenner during which Campbell slashed Spenner’s leg artery.

⁸² Cromwell, ‘The Aftermath of Nat Turner’s Insurrection’, 212

⁸³ Hughes, *History of Blue Earth County*, p. 157

⁸⁴ *Executive Documents of the State of Minnesota for the Year of 1865* (St. Paul: Frederick Driscoll, 1866), p. 24

⁸⁵ Routel, ‘Minnesota Bounties’, pp. 40 - 49 (p. 49)

⁸⁶ Trenerry, *Murder in Minnesota*, p 44

⁸⁷ *The Mankato Union* 4 January 1867

At this point, the Brown County Sheriff took the two men dressed as Indians into custody. After the news spread that Spenner died, the drunken New Ulm populace surrounded the jail shouting: “Bring out the half-breeds! Out with the Indians!”⁸⁸ The mob entered the jail, seized Liscom, placed a rope around his neck and then dragged him outside. Once outside, Liscom was hit with a club and then hung on the rung of a ladder. Campbell’s fate soon followed. An A.W.O.L soldier of Company H. Tenth Minnesota Regiment called John Gut was eager to be part of the lynching. Gut forced his way through the mob and along with others, repeatedly stabbed, kicked and beat Campbell. After Campbell’s death, Gut continued to stab at the swinging corpse.⁸⁹ When Gut had finished stabbing Campbell’s body he washed his hands, whilst doing so during a conversation Gut apparently said he had been killing Indians or half-breeds. After being asked what they had done, Gut replied they had killed a Dutchman.⁹⁰

On 16 and 17 September a jury indicted John Gut and twelve other men for first degree murder but Gut was the only one to stand trial.⁹¹ At the trial, Charles E. Flandrau, Gut’s council – a former Minnesota Supreme Court Judge and a commander of New Ulm’s defence during the Dakota Uprising in 1862 – set out to prove: first that “the United States and the Sioux were at war”. Second, that unrevoked General Orders. No. 40, No. 41, and No. 60 offered bounties for Dakota Indian scalps. Third, that Campbell looked and acted like a Dakota Indian as he wore Indian clothing, and danced the Dakota Indian war dances. Fourth, that Gut was misled by Campbell’s attire and actions into thinking Campbell was a Dakota Indian. And lastly, Gut was a soldier who was only carrying out what he thought to be his duty: namely, killing his country’s enemies.⁹² This defence was to no avail, however. When Flandrau’s defence tried to legitimise this lynching, he failed because this was the lynching of two white men. And because Campbell and Liscom were white, Minnesota’s scalping bounty was no longer deemed as legitimate or legal but extralegal thus ending the bounty.

The lynching of Indians strongly revolves around the Dakota Uprising. The next chapter examines what happened after the lynching of “Mr. Indian”: namely, when his body was

⁸⁸ As quoted in *Murder in Minnesota*, p. 46

⁸⁹ Trenerry, *Murder in Minnesota*, p. 47

⁹⁰ *Ibid.*, p. 47; *The Mankato Union* 4 January 1867

⁹¹ Bessler, *Legacy of Violence*, p. 11

⁹² For more on this see Trenerry, *Murder in Minnesota*, pp. 49 – 51. See also, Bessler, *Legacy of Violence*, p. 11

brought back to Hutchinson where the citizens of Hutchinson not only endorsed and sanctioned the lynching but witnessed or carried out the mutilation of the body. Also because this was the Fourth of July, the Indian's body served as a symbol of Hutchinson declaring itself independent from the Indian.

Chapter 2: Fourth of July and the Mutilation of “Mr. Indian”

When the identity “Mr. Indian” was revealed to be Little Crow, Minnesota rejoiced because “Chauncey Lampson [sic] had accomplished what six thousand soldiers, stationed along the frontier, had been trying to do for many months.”¹ But immediately after the altercation, the Lamsons did not know who the Indian was. On 3 July 1863, Nathan Lamson and his son Chauncey encountered two Indians picking raspberries the result of which was the lynching of “Mr. Indian”. During the events, Chauncey returned to Hutchinson at about 10 o'clock that evening to look for volunteers at the fort to go in search of his father: when he did William Gosnell, J. B. “Birney” Lamson (Nathan Lamson’s youngest son), Le Maitre (a Frenchman), other citizens, and six mounted men of the Goodhue County Tigers set off.² The men rested at Lamson’s house and then at dawn they resumed their march, eventually arriving at the site where the Indian had been killed.³ Birney Lamson recalled:

On arriving at the turn in the road I saw a body lying at my feet in the dull light of morning, and I was terror-stricken with the thought that it was father (Nathan), but it flashed through my mind that the bare breast was copper-colored and not that of a white man, and without a second glance I shouted, “Here he is, boys.”⁴

After the body of “Mr. Indian” was found, and “relieving him of some of his hair, his moccasins, his citizens [sic] coat, together with a number of trinkets”, the group “hitched a lariat to his legs and dragged him back to camp, seven miles off, to Hutchinson” bringing with them “positive proof that the red skin was really “a dead Injun [sic].”⁵ In Hutchinson, Nathan Lamson’s daughter, Mary Elizabeth, recalled climbing onto the wheel of wagon “to

¹ ‘Little Crow, The Sioux Chief. How the Famous Warrior Met His Death’, Historical Society Relics, Minnesota Historical Society Scrapbook, Vol. 38, Roll 13, Frames 70 – 72 (Frame 70)

² William W. Pendergast, “Sketches of the History of Hutchinson,” Minnesota Historical Society Collections, (1905), pp. 69 – 89 (p. 88 - 89) found at <https://archive.org/stream/sketchesofhistor00pendrich#page/n1/mode/2up> (accessed 08/07/2016)

³ Ibid., p. 89

⁴ Birney Lamson as quoted in Sattler, Narrative of the Sioux War, pp. 367 – 370 (p. 370)

⁵ ‘Great Excitement in McLeod County. The Sioux Marauders in the Big Woods. A Peddler Chased by the Red Devils. Two Indians Surprised, and one Killed, by Mr. Lampson and his Son. How the Scalp was Taken! Highly Interesting Details. Particulars of the Murder of James McGannon.’ The St. Paul Press, 10 July 1863. For the account that suggests that the soldiers “dragged” the body to Hutchinson, see ‘Little Crow’s skull’, in ‘Little Crow, The Sioux Chief. How the Famous Warrior Met His Death’, frames 71 – 72

see the Indian”, after which the body was displayed outside McGraw’s store, “where the whole village might see it.”⁶ The body of the Indian then became the “centre of attraction for an hour or two” in which time the boys of Hutchinson filled the ears and nostrils of “Mr Indian” with firecrackers.⁷ “Mr. Indian’s” body was not only that of a “good Indian” to those in Hutchinson because he was dead but because it allowed them to add more “joy” to their “celebration of the “Fourth”.”⁸ After being the centre of attraction, however, according to J.W.M in The St. Paul Press, the body became “rather offensive” possibly due to the mutilated body and its Indianness, thus the body received “a very hasty, slight, and uncerimonious [sic] interment, by being dumped into a hole just below the village.”⁹ J.W.M then commented: “Rather sorry we hadn’t enough Indians to fill the hole; but one is better than none.”¹⁰ Later, Birney Lamson recalled, “all [were] unaware that the corpse was that of the hated Little Crow.”¹¹ The treatment of this Indian corpse, then, was not due to its “name and fame”; rather, it was treated in the manner it was because of the body’s Indianness.¹²

In the mid-nineteenth century, Minnesotans believed the Indian to be the embodiment of violent savagery. To those who retrieved the body and those in Hutchinson, the death of this Indian was insufficient. Therefore, a “form of retribution beyond death” was deemed necessary.¹³ Dakota Indians attacked Hutchinson on the 3 and 4 September 1862, so when the soldiers brought the Indian body back to Hutchinson they effectively brought the Indian back to the scene of his alleged crime. This particular trait is evident in the lynchings of African Americans. Brundage has noted that a mob often brought their victim back to or near to the site of the alleged crime.¹⁴ Although the soldiers and residents did not know if this Indian was

⁶ Mary Elizabeth Lamson, as quoted in, ‘Sioux Executed for Uprising, Fifty-Two Years Ago Today’ in The Minneapolis Sunday Tribune, 26 December 1915

⁷ The St. Paul Press, 10 July 1863

⁸ Birney Lamson as quoted in Sattler, Narrative of the Sioux War, p. 370

⁹ The St. Paul Press, 10 July 1863

¹⁰ Ibid

¹¹ Birney Lamson as quoted in Sattler, Narrative of the Sioux War, p. 370

¹² Verdery suggests, Lenin’s “name and fame” are critical to his “burial politics”; “without those, no one but his relatives would care where he lies. See Katherine Verdery, *The Political Lives of Dead Bodies: Reburial and Postsocialist Change* (New York: Columbia University Press, 1999), p. 13.

¹³ Douglas R. Egerton, ‘A Peculiar Mark of Infamy: Dismemberment, Burial, and Rebellious in Slave Societies’ in *Mortal Remains*, (eBook), pp. 253 – 273 (p. 261)

¹⁴ For an example of the lynching taking place at the scene of the alleged “crime”, see Brundage, *Lynching in the New South*, p. 41; also see, James R. McGovern, *Anatomy of a Lynching: The Killing of Claude Neal* (United States: Louisiana State University Press, 1982); and Durocher, *Raising Racists*, p. 3. For more discussion on the sacrificial lynching sites such as a tree and bridge as

part of the Dakota Indian attacks on Hutchinson, it does seem that the body's Indianness became the evidence of his guilt. Therefore, those in Hutchinson enacted their own form of vengeance for the Dakota Indian attacks the previous year. Further retribution was performed by this community by mutilating the body of "Mr. Indian". As a result, this cadaver became more than just a dead Indian. In the simplest sense, this body was a symbol of white victory over an Indian. As a symbol of victory, however, this Indian body in turn served as a symbol of power: one of Indian powerlessness and white empowerment. This white empowerment began once the Lamsons killed the unknown Indian, and this power continued and increased as the Indian body was mutilated further. Simultaneously, white empowerment meant the reduction of the Indian's power. By reducing the Indian's power, these citizens ultimately dehumanised the Indian body which for them became nothing more than the body of a beast. This is evident in the way the body was "dumped into a hole". In addition, because the mutilation of the Indian body occurred on the Fourth of July, it is possible to suggest that this particular Fourth of July celebration was not only one of Americanness, it was also a community's celebration of this Indian's exclusion from Minnesota as well as from American society. One of the elements of this celebration was the use of firecrackers by the boys to mutilate the Indian's body. The presence of children at this scene of extralegal violence is similar to children witnessing a lynching. Walter White argued the presence of children at a lynching was as a way of "warping" children's minds and the worst aspect of lynching.¹⁵ The presence of children at lynching, however, served the broader southern white culture which accepted and encouraged children to be present during or after a lynching. Similarly, the presence of children at the mutilation of "Mr. Indian" in Hutchinson shows that this community not only accepted and encouraged the presence of children during these events, but that children participated in acts of extralegal violence, for example, when they mutilated "Mr Indian" with firecrackers. By participating in the mutilation, the boys ultimately showed their disdain towards the Indian. Further, the boys as well as their community showed the notion of white superiority and Indian inferiority, and that Hutchinson as a community sanctioned and endorsed the mutilation of "Mr. Indian's" body.

symbols, see Orlando Patterson, *Rituals of Blood: Consequences of Slavery in Two American Centuries* (New York: Basic Civitas, 1988) for a tree, see 205 – 206, 207, 209; for the bridge, see 206 – 207, 209 – 210.

¹⁵ Walter White, *Rope and Faggot*, p. 40

On 4 July 1863, the same day that “Mr. Indian’s” body was mutilated and displayed, Minnesota declared a scalping bounty. As will be discussed in the next chapter, scalping served several purposes such as a receipt in order to claim a scalping bounty, to collect a trophy or souvenir, or to express disdain towards a victim. Those who relieved “Mr. Indian” of “some of his hair” did not do so to claim this scalping bounty; they had no way of knowing that the bounty was in place. News of the bounties did spread quickly through Minnesota newspapers reprinting General Order No. 41, it seems that the Saint Paul Daily Press was the first to reprint and summarise General Order No. 41 on 7 July 1863.¹⁶ Moreover, as Routel notes, it appears it was Governor Ramsey’s idea to offer monetary reward for the killing of Dakota Indians.¹⁷ It certainly seems, then, the men scalped “Mr. Indian” not for a monetary reward but for other reasons such as collecting a trophy or souvenir, and/or to express a profound disdain towards an Indian. This disdain is further shown in the treatment of the body: it was dragged back to Hutchinson, where it was mutilated by firecrackers for the Fourth of July festivities, displayed, and then dumped into a refuse pit.

During the Civil War years (1861 - 1865), Wrone and Nelson argue that Indians endured as much “suffering and harsh treatment” as they had previously in their history.¹⁸ For example, in 1863 in the Southwest, the Apache were forced to engage in resistance because of the increase of the enslavement of Apache children and women by Americans after 1849, other the other hand, Mangas Coloradas, an Apache Chief, was being paid by northern Mexican Governments to eliminate the inhabitants from the much desired northern lands.¹⁹ The result of this resistance was that Mangas Coloradas was “seized, bound hand and foot” on 17 January 1863, and the next day killed while he was imprisoned.²⁰ Daniel Conner, a guard at the time, observed the “pranks” of two soldiers towards Mangas Coloradas (who Conner called Mangus) which included heating up their bayonets and putting them on the Indian’s

¹⁶ ‘Twenty-Five Dollar Bounty for Sioux Scalps’, The Saint Paul Daily Press, 7 July 1863

¹⁷ Routel, *Minnesota Bounties*, p. 21 - 24.

¹⁸ Wrone and Nelson, Jr., *Who’s the Savage?*, p. 100

¹⁹ Ibid, p. 104. See also, Thomas Edwin Farish, *History of Arizona*, Vol. II, (Phoenix: The Filmer Electrotype Company, 1915), esp. Chapter 7, ‘Indian Hostilities’, pp. 143 – 144. See also, Juliana Barr, ‘From Captives to Slaves: Commodifying Indian Women in the Borderlands’ *The Journal of American History*, (2005), pp. 19 - 46.

²⁰ Edwin Russell Sweeney, *Mangas Coloradas, Chief of the Chiricahua Apaches* (United States: University of Oklahoma Press, 1998), p. 463; Wrone and Nelson, *Who’s the Savage?* p. 104; Lee Myers. "The Enigma of Mangas Coloradas' Death." *New Mexico Historical Review*, Vol. 41, No. 4 (1966): pp. 287 - 304, (p. 295). Found at: <http://search.proquest.com/docview/1301801312?accountid=9869> (accessed November 14, 2016).

“feet and naked legs”.²¹ After Coloradas confronted the two soldiers, both soldiers shot Coloradas “through the head.”²² In the morning, a soldier named John T. Wright with a “large bowie knife . . . took off the scalp of Mangus [sic]” and “wrapped the long hair around the scalp and put it in his pocket”.²³ Coloradas’ body was left till noon, when it was “dumped into a gully . . . and covered up.”²⁴ After Coloradas’ body had been dug up, Surgeon David B. Sturgeon took the head, “boiled it during the night, and prepared the skull to send to the museum in New York.”²⁵ In another account, Coloradas’ brain was taken out and weighed.²⁶ At some point, Sturgeon presented the skull to New York phrenologist Orson Squire Fowler who in 1873 noted Mangas’ skull as “one of the best contributions to phrenological science possible to be made.”²⁷ After lending the skull to Fowler, it seems that Sturgeon kept the Indian’s skull for his own collection in Iowa. During the nineteenth century, there was a culture of collecting Indian skulls. Little Crow became part of this culture when his head and forearms joined his scalp at the Minnesota Historical Society.²⁸ Like “Mr. Indian’s” body, the treatment of Coloradas’ body highlights the ways in which whites treated an Indian body. In contrast to the treatment of “Mr. Indian’s” body, the identity of Coloradas was known at the time of his killing; not only did his body receive the treatment that it did for its “name and fame” but also because of the body’s Indianness. As shown in the case of Coloradas, an

²¹ For Conner’s account, see Wrone and Nelson, *Who’s the Savage?* Doc. 61: ‘Assassination of Mangus Colorado’, pp. 104 – 106.

²² *Ibid.*, p. 105

²³ *Ibid.*, p. 105

²⁴ *Ibid.*, p. 105. After the death of Coloradas, Cochise, Victorio, and Luis organised a war party to avenge the Apache chief’s death. During the summer of 1863, the war party attacked several groups of Americans along the Rio Grande and Cooke’s Canyon. On 17 June 1863, they killed an officer called Lieutenant L. A. Bargie, after which they performed the same “barbaric treatment to his body as the troops had to Mangas”: when Bargie’s body was found “his head was cut off, his breast open, and his heart taken out.” For more on Apache resistance, see Sweeney, *Mangas Coloradas*, p. 463

²⁵ Wrone and Nelson, *Who’s the Savage*, p. 106

²⁶ Farish, *History of Arizona*, p. 144

²⁷ For Fowler’s analysis of Mangas’ skull, see ‘The Phrenology of Mangas Colorado, or Red Sleeve’, in O. S. Fowler, *Human science, or, Phrenology : its principles, proofs, faculties, organs, temperaments, combinations, conditions, teachings, philosophies, etc., etc. : as applied to health, its values, laws, functions, organs, means, preservation, restoration, etc. : mental philosophy, human and self improvement, civilization, home, country, commerce, rights, duties, ethics, etc. : God, His existence, attributes, laws, worship, natural theology, etc. : immortality, its evidences, conditions, relations to time, rewards, punishments, sin, faith, prayer, etc. : intellect, memory, juvenile and self education, literature, mental discipline, the senses, sciences, arts, avocations, a perfect life, etc., etc., etc.* (National Publishing Company, Philadelphia; Chicago; Cincinnati; St. Louis: A. L. Bancroft & Co., San Francisco, 1873), pp. 1195 – 1197. Found at <https://archive.org/stream/humanscienceor00fowl#page/n8/mode/1up> (accessed 20 August 2016)

²⁸ Anderson, *Little Crow*, p. 181

Indian body's identity is important in the way it is treated, but what is more significant is a body's Indianness. Because the bodies of "Mr. Indian" and Coloradas were defined by their Indianness, this reflects on the notion of white racial power over the Indian which in turn gives the Indian body meaning.

In his examination of the dead and culture, Thomas W. Laqueur notes:

[T]he wilfully brutal disposal of the dead—the treatment of the corpse as carrion—is an act of extreme violence, an attack on the order and meaning we look to the dead to maintain for us. To make the obvious point: to treat a dead body as if it were ordinary organic matter—to leave it lie as if it were the body of a beast—or wilfully to desecrate and mutilate it is to erase it from culture and from the human community: to deny the existence of the community from which it came, to deny its humanity.²⁹

During the Pequot War, the Algonquian Indians and colonists exchanged many standard things including furs, beads, pots and cloth; however, there was also the exchange of body parts including scalps, hands, and heads. Andrew Lipman notes that most secondary accounts of this war "only mention [these] trophies in passing", thus they are only seen as another "grisly" facet of this notably violent conflict.³⁰ Nonetheless, they were "a strange kind of negotiation, a cross-cultural conversation rendered in flesh and blood."³¹ Unlike the Algonquian Indians who frequently exchanged wartime trophies to sustain "alliances", the English decapitated enemies and displayed their heads to establish "dominance."³² Lipman explains that "[b]ody parts were trophies in the sense that they were mementos of a violent act" but these trophies symbolised more than a single man's triumph over another.³³ In line with this, Jon T. Coleman notes that much like the meanings of animal trophies—namely, to show power, the ability to punish, and to bring order to "a rambunctious natural environment"—human skulls served as "warnings" to potential thieves and agitators of the peace.³⁴ For example, after Metacom led an uprising against the English in 1675 and 1676 (commonly known as King Philip's War), on 12 August 1676 Metacom was shot and killed

²⁹ Thomas W. Laqueur, *The Work of the Dead: A Cultural History of Mortal Remains* (Princeton and Oxford: Princeton University Press, 2015), p. 4

³⁰ Andrew Lipman, "'A Meanes to Knitt Them Together': The Exchange of Body Parts in the Pequot War", *The William and Mary Quarterly*, Third Series, Vol. 65, No. 1 (2008), pp. 3 - 28 (p. 3)

³¹ *Ibid.*, p. 4

³² *Ibid.*, p. 4

³³ *Ibid.*, p. 13

³⁴ Jon T. Coleman, 'Terms of Dismemberment', *Common-Place*, Vol. 4, No. 1 (2003), Part I, II, III, found at: <http://www.common-place-archives.org/vol-04/no-01/coleman/index.shtml> (accessed: 17/08/16)

outside Mount Hope.³⁵ After he was killed, the body was found in a swamp and after it was “pull’d out of the mire” an English military leader called Benjamin Church said: “That forasmuch as he [Metacom] had caused many an English-mans [sic] body to lye [sic] unburied and rot above the ground, that not one of his bones should be buried.”³⁶ This led to Church ordering his “old Indian [e]xecutioner” to carry out “the punishment for treason posthumously.”³⁷ Because Metacom was considered by New Englanders as “a rebel against King Charles II” his body received England’s punishment for treason: it was beheaded, drawn and quartered. Metacom’s head “ended up rotting on a pole in Plymouth town” and after his body was drawn and quartered the pieces were sent to the colonial capitals.³⁸ Metacom’s body became “a symbol of English ascendancy” for the next twenty five years as well as a warning to other Indians.³⁹ Another example of an Indian’s head being displayed for such purposes occurred in 1623 when Myles Standish decapitated Wituwamat (a Massachusetts Indian, who was accused of conspiring to wreak havoc in the English settlements) and spiked the Indian’s head on a pole outside Plymouth’s fort.⁴⁰ Coleman notes, the head of Wituwamat became a symbol of “the colonists yearning for power, domination, and control, aspirations thwarted by the continued presence of human rivals”.⁴¹ Myles Standish seized “physical command” over the Indian body when he decapitated Wituwamat.⁴² The mutilation and the displaying of a dead body or body parts such as a head or skull, then, has multiple cultural meanings which they gained at the time in which the

³⁵ For more on King Philip’s War, or Metacom’s Rebellion, see James Drake, ‘Restraining Atrocity: The Conduct of King Philip’s War’, *The New England Quarterly*, Vol. 70, No. 1 (1997), pp. 33 - 56; *Ibid.*, *King Philip’s War: Civil War in New England, 1675 - 1676* (United States: The University of Massachusetts Press, 1999); Jill Lepore, *The Name of War: King Philip’s War and the Origins of American Identity* (New York: Vintage, 1998); Philip Ranlet, ‘Another Look at the Causes of King Philip’s War’, *The New England Quarterly*, Vol. 61, No. 1 (1988), pp. 79 - 100; and Eric Schultz and Michael J. Tougias, *King Philip’s War: The History and Legacy of America’s Forgotten Conflict* (Woodstock, Vermont: The Countryman Press, 1999).

³⁶ Benjamin Church, *The History of King Philip’s War*, with an Introduction and Notes by Henry Martyn Dexter, (Boston: J. K. Wiggin, 1865), p. 150 <https://archive.org/stream/historyofkingphi00chur#page/n9/mode/2up> (accessed 28 November 2016). (Emphasis in original)

³⁷ *Ibid.*, 150 (emphasis in original); Drake, *King Philip’s War*, p. 162

³⁸ Anna Kiefer, ‘Metacom’, in Spencer C. Tucker, *The Encyclopaedia of North American Indian War, 1607 - 1890* Vol. 1, (California, Colorado, England: ABC-CLIO, 2011), pp. 486 - 488 (p. 488)

³⁹ Church, *The History of King Philip’s War*, p. 151 footnote 316

⁴⁰ Coleman, ‘Terms of Dismemberment’, Part II

⁴¹ *Ibid.*

⁴² *Ibid.*

mutilation and the display occurred such as the colonists using pieces of Metacom and Wituwamat's body. In short, a body can serve as a sort of text for a particular context.

Therefore, when the body of "Mr. Indian" was displayed outside McGraw's store the body gained cultural meaning. First, the body became a way for Hutchinson to embrace and celebrate the killing and death of an Indian. Second, the Indian body served as a claim of white order and control on the Minnesota frontier which at the time seemed an unruly, threatening, and unforgiving environment. Third, the body suggested, even for those few hours, the futility of Indian resistance against white Minnesotans. Fourth, the body became a means for Minnesotans to tell a story of heroism: namely, how two brave frontiersmen risked their lives to kill an Indian in order to protect a community. Lastly, as we have seen, the English used "human pieces as punctuation" to signify the close of the rebellion led by Metacom and the Indians.⁴³ Similarly, "Mr. Indian's" body was used by the citizens of Hutchinson as "punctuation" against Dakota Indian resistance, their exclusion from Minnesota, and a symbol of white dominance.⁴⁴ For citizens of Hutchinson, then, this Indian body became more than a trophy of their power; it became a representation of their political power, and it served as evidence that the Indian was not only excluded from Minnesota politically but also from the state.

Katherine Verdery observes that "Bodies—especially those of political leaders—have served in many times and places worldwide as symbols of political order" and "political transformation is often symbolized through manipulating bodies"—cutting off the head of a king, for example.⁴⁵ "Mr. Indian" was not a political leader, his label was only his Indianness, but the mutilation of his Indian body symbolised a political act: namely, the "Sioux Removal Act" which was introduced in March 1863.⁴⁶ After the Lamsons killed "Mr. Indian" his body had been mutilated by soldiers and citizens, the Indian became the embodiment of this political act which they interpreted as the total exclusion of the Indian from Minnesota.

⁴³ Lipman, "'A Means to Knitt Them Together'", p. 15

⁴⁴ Ibid, p. 15

⁴⁵ Katherine Verdery, *The Political Lives of Dead Bodies: Reburial and Postsocialist Change* (New York: Columbia University Press, 1999), p. 28. See also, Nancy Isenberg, 'Death and Satire: Dismembering the Body Politic', in *Mortal Remains*, pp. 123 – 155.

⁴⁶ An Act for the Removal of the Sisseton, Wahpaton, Medawakanton, and Walhpakoota Bands of Sioux or Dakota Indians, and for the Disposition of their Lands in Minnesota and Dakota (3 March 1863). Found at <http://www.loc.gov/law/help/statutes-at-large/37th-congress/session-3/c37s3ch119.pdf> (accessed 12 August 2016)

The body also became a way of unifying those in Hutchinson. When “Mr Indian’s” body became the “centre of attraction”, it became a way of unifying a community against a common enemy who this community believed to be roaming the frontier and killing white settlers. For example, on 1 July 1863, James McGannon, a settler and resident of Anoka, was killed on a road near Fairhaven on the border of Wright County and Meeker County. J. W. M presumed that “Mr. Indian” was the one who killed McGannon due to the “citizens [sic] coat” found by “Mr. Indian’s” body.⁴⁷ But the fact that it was Independence Day created Hutchinson’s vision of a future American society: namely, a white society.⁴⁸ In Hutchinson the body was not only used as a symbol of racial superiority; it was used as a symbol of American superiority over the Indian as well as the exclusion from America and a depiction of what was considered to be the true “Americans”: namely, whites. This is evident by the citizens’ treatment of the Indian body on Independence Day in 1863.

On 5 July 1852, Frederick Douglass delivered an oration in Corinthian Hall, Rochester. In his speech, he stated, “I say it with a sad sense of the disparity between us. I am not included within the pale of this glorious anniversary!”⁴⁹ He continued, “The rich inheritance of justice, liberty, prosperity and independence, bequeathed by your fathers, is shared by you, not by me. The sunlight that brought life and healing to you, has brought stripes and death to me. This Fourth July is yours, not mine. You may rejoice, I must mourn.”⁵⁰ During the speech, Douglas further proclaimed:

What, to the American slave, is your 4th of July? I answer; a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciations of tyrants, brass fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and

⁴⁷ See Routel, *Minnesota Bounties*, p. 26, fn., 172. Routel notes, it is possible that Little Crow played a role in the killing of McGannon. The death of McGannon, however, would be the only one; as Routel correctly dismisses that Little Crow could have played a role in other killings such as Henry Basche, Captain John Cady or the Dustin family due to the fact that Little Crow did not return to Minnesota until the middle of June 1863, therefore making it “impossible” for Little Crow to have been involved in these deaths

⁴⁸ For a study of whiteness in American society, see George Lipsitz, *The Possessive Investment in Whiteness: How White People Profit from Identity Politics* (Philadelphia: Temple university Press, 2006)

⁴⁹ Frederick Douglass, *Oration*, (Rochester: Request, 1852), pp. 3 – 39 (p. 15) found at: http://www.lib.rochester.edu/IN/RBSCP/Frederick_Douglass/ATTACHMENTS/Douglass_Fifth_of_July_Speech.pdf (accessed 16 July 2016)

⁵⁰ *Ibid.*, p. 15

thanksgivings, with all your religious parade, and solemnity, are, to him, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages.⁵¹

The Fourth of July is the oldest and most public American political holiday celebrated both locally and nationally. Like other national holidays, this day celebrates Americanness. During the Civil War, the celebration of Independence Day was significant as no other holiday was celebrated with the same level of “debate, interest, and fervor”.⁵² Moreover, at a time of national upheaval like the Civil War, the Fourth of July is a “celebration centered on conceptions of American identity and about the core concepts of America.”⁵³ On either side of the Mason-Dixon Line, the North and the South “sought to preserve their right to observe and honor what they felt was the true vision of America.”⁵⁴ During the Civil War, this day was not always a time to celebrate. For example, on 4 July 1863, the Battle of Helena took place.⁵⁵ Of course, 4 July 1863 saw other significant Civil War battles like Gettysburg (Pennsylvania) and Vicksburg (Mississippi). In addition, in Sacramento, California, in 1864, two families nearly came to blows over the display of the Union and Confederate flags, an episode that Heintze observes as “the significance of the flag as an important symbol and representation of patriotic sentiments, as well as the need for individual expression of those beliefs.”⁵⁶ Thus, the Fourth of July is a day that an individual or a community believe that they can express their own specific beliefs and views of America.

During the Civil War, communities across Minnesota celebrated the Fourth of July with patriotism and themes of Americanness. In 1861, the community of Greenfield celebrated Independence Day in Cook’s Valley with processions, speeches, raising the “star and stripes” which received “a salute of 34 guns”, prayers, singing of the American National Anthem, reading of the Declaration of Independence, dinner, and after the celebrations “all quietly and

⁵¹ Ibid., p. 20

⁵² Jared Jefferson Bond, *Competing Visions of America: The Fourth of July During the Civil War* (M.A. Thesis, 2007) p. 8

⁵³ Ibid., p. 8

⁵⁴ Ibid, p. 8. For Fourth of July Celebrations, see James R. Heintze, “Fourth of July Celebrations Database”, American University, Washington, D.C, (2016) <http://gurukul.american.edu/heintze/fourth.htm#top> (accessed 08 August 2016).

⁵⁵ Edwin C. Bearss, ‘The Battle of Helena, July 4, 1863’, *The Arkansas Historical Quarterly*, Vol. 20, No. 3 (1961), pp. 256-297

⁵⁶ James R. Heintze, ‘Union and Secessionist Families Clash in Sacramento, California’, *Fourth of July Stories*, American University, Washington, D.C, (May 2008) <http://gurukul.american.edu/heintze/stories.htm> (accessed 08 August 2016)

peacefully retired from the grove” some to their homes while others went “to join the dance at Wabashaw.”⁵⁷ The next year, 1862, “The Fourth in Faribault” was celebrated by a large number in attendance and many “patriotic views were expressed” and then in the evening the day was celebrated with the fireworks serving as the main “object of attraction”.⁵⁸ During the Civil War, then, Minnesotans celebrated the Fourth of July with typical acts of patriotism such as the singing of the National Anthem and the reading of the Declaration of Independence which served as a way for an individual and a community to express their own as well as collective notions of Americanness.

In 1863, Dr. John Benjamin observed both the Dakota Indian attacks on Hutchinson in 1862 and the use of firecrackers on “Mr. Indian’s” body. Benjamin states, “When the body of Little Crow was brought into town, it being the Fourth of July, the boys took advantage of the event by “celebrating” upon the remains, filling the ears and nostrils with firecrackers”.⁵⁹ Benjamin noted that he found the use of firecrackers on this occasion “very inhuman”, but Benjamin contradicts himself because he noted when he found “Mr. Indian’s” skull, he took it home and put it in a “solution of lime” to preserve it either for the Minnesota Historical Society or keeping it in Hutchinson for “all future time” which apparently is what the Lamsons and “all parties interested” wanted.⁶⁰ It seems, then, that Benjamin was more comfortable taking and preserving “Mr. Indian’s” skull rather than watching “Mr. Indian’s” body being mutilated by firecrackers. Nonetheless, the use of fireworks is a typical way to celebrate Independence Day.⁶¹ For example, on 3 July 1776, John Adams in a letter to Abigail Adams wrote the Fourth of July should be “commemorated” and “solemnized with Pomp and Parade, with Shews, Games, Sports, Guns, Bells, Bonfires and Illuminations from one End of this Continent to the other for this time forward forever more.”⁶² As previously stated, during the Civil War Minnesotans used fireworks as a way to celebrate American Independence but in

⁵⁷ ‘Fourth of July Celebrations’ Wabashaw Semi-Weekly Co. Herald, 13 July 1861

⁵⁸ ‘Severe Storm in Rice County---Celebrations of the Fourth in Faribault and Northfield---Nearly Fatal Accident’, The Saint Paul Daily Press, 10 July 1862

⁵⁹ Dr. John Benjamin’s Story, Historical Society Relics. Minnesota Historical Society Scrapbook, Vol. 38, roll 13, frames 70 – 72 (frame 71)

⁶⁰ Ibid, frame 71

⁶¹ For early examples of using fireworks at the Fourth of July celebrations, see James R. Heintze, ‘The First Fireworks on the Fourth of July’, American University, Washington, D.C, (2016), <http://gurukul.american.edu/heintze/fireworks.htm> (accessed 08 August 2016)

⁶² Letter from John Adams to Abigail Adams, 3 July 1776, "Had a Declaration..." [electronic edition]. Adams Family Papers: An Electronic Archive. Massachusetts Historical Society. <https://www.masshist.org/digitaladams/archive/doc?id=L17760703jasecond> pp. 1 – 3 (p. 3)

one instance, the use of fireworks by “children” was seen as a menace. For example, on 10 July 1862, the Saint Paul Daily Press commented that the “reckless use of fireworks and other fireworks by children, little and big, on Independence Day, causes immense loss of property”, and concluded: “The aggregate loss of the whole country must be millions of dollars from Fourth of July nonsense.”⁶³ In 1863, on the Minnesota frontier, the Fourth of July centred on death only because the killing of an Indian occurred the previous day. The previous day, the Lamsons had used their “Guns” to kill an Indian; the next day there were “Illuminations” which in this instance were firecrackers. The use of firecrackers were used symbolically to celebrate not only the killing of an Indian but this Indian and other Dakota Indians’ exclusion from Americanness. Therefore one of the rituals typically used to celebrate Americanness was used in the same way: it enabled the citizens to define who was and who was not an “American”. The use of firecrackers, then, became a symbol of power: the power of white America and Americanness as well as symbolising the powerlessness, inferiority and the exclusion of the Indian not only from the Minnesota frontier but also from American society.

Further the use of firecrackers to mutilate “Mr. Indian’s” body shows, on the “boys” part, that there was little respect towards the Indian body, thus the “boys” deemed it acceptable to mutilate the body as part of a celebration of America. Moreover, as previously stated the presence of the “boys” at this scene of extralegal violence highlights the presence of children at lynchings. As Kristina Durocher has noted, there are numerous images of children including “boys and girls, from a few years old to teenagers, enjoying these public spectacles.”⁶⁴ She explains, this is because the “[w]hite southern culture in this era accepted and encouraged the presence of white children at scenes of extralegal race-based violence.”⁶⁵ Like the white southern culture which accepted and encouraged the presence of white children at lynchings, Hutchinson’s white culture accepted and encouraged the presence of children at scenes of extralegal violence, which in this instance was the mutilation of “Mr Indian”. The presence of children served several purposes. First, it shows a community’s support for the repression of the Indian and Indian resistance. Second, it was a way of reinforcing a community’s own notions of racial supremacy. Lastly and perhaps most

⁶³ ‘Fire on the Fourth’, The Saint Paul Daily Press, 10 July 1862

⁶⁴ Kristina Durocher, *Raising Racists: The Socialization of White Children in the Jim Crow South* (Kentucky: University Press of Kentucky, 2011), p. 1

⁶⁵ *Ibid.*, p. 1

important is the indoctrination of children into lynching and Hutchinson and Minnesota's perceived hierarchy of race relations between whites and Indians. By allowing children to participate in the mutilation and/or to witness the mutilation of the Indian body served the purpose of normalising such behaviour thereby making children a product of racial violence and possibly facilitating the continuation of such violence.⁶⁶

As previously noted, mobs often brought their victim/victims back to the scene of their alleged crime. Similarly, "Mr. Indian's" body was brought back to the scene of his alleged "crime": Hutchinson. The Dakota Indians attacked Hutchinson on the 3 and 4 September 1862 and during these attacks, the Dakota Indians burned outlying buildings. The first to be set alight was Dr. Benjamin's house as it stood farthest out of town to the northwest; next to be burnt was that of W. W. Pendergast; this was followed by the academy; and other houses such as Kittredge's, Welton's, Pierce's and Chelsley's; on the south side, Solomon Pendergast's, J. H. Chubb's and several smaller ones.⁶⁷ When the Dakota Indians attacked the fort the Hutchinson Guards took their positions, Captain Harrington and his fifteen men were to the west, to the east were Lieutenant Hopper and his men, Pierce at the South, and Pendergast at the North.⁶⁸ These were used as four points of attack against the Dakota Indians in order to protect the buildings and save the cattle and horses, many of which had been stolen. Once Captain Strout took command of the Hutchinson Company, he ordered that all should return to the stockade. Al DeLong and William Ensign were sent to Glencoe for reinforcements, they returned about four o'clock with approximately forty men at which point the Dakota Indians fled.⁶⁹ During the conflict several settlers outside the stockade were killed: "Mr Spowde was killed in the river to the west"; although Spowde's wife and two children initially escaped into the grove to the west of the town, when they came out to the south they were killed; Jack Adams' child was killed on the southwest prairie.⁷⁰ Thus, when the Indian body was dragged back to Hutchinson—the scene of the crime—it does suggest that this community enacted its own vengeance for the Dakota Indian attacks. Although this

⁶⁶ For more on the indoctrination of children at lynchings, see Dora Ape, *Imagery of Lynching: Black Men, White Women, and the Mob* (New Brunswick, New Jersey, and London: Rutgers University Press, 2004), p. 41 - 42; Durocher, *Raising Racists*, p. 155; and Raper, *The Tragedy of Lynching*.

⁶⁷ Pendergast, "Sketches of the History of Hutchinson," pp. 80 – 84, (p. 81)

⁶⁸ *Ibid.*, p. 82

⁶⁹ *Historical Society Relics. Minnesota Historical Society Scrapbook, Vol. 38, Roll 13, Frames 70 – 72 (70)*

⁷⁰ *Ibid.*, 70

was an unknown body in the collective mind of Hutchinson, this was a savage Indian, one who had attacked and murdered whites in Hutchinson. Furthermore, it seems, “Mr. Indian’s” body not only represented those warriors who attacked Hutchinson but all Dakota Indians, particularly the Dakota Indians who rose up and slaughtered many Minnesotans and one who escaped hanging from a noose alongside other Dakota Indians. Between the time of the killing and the corpse being identified as Little Crow, this body represented neither the guilty nor the innocent, neither a hostile nor a peaceful Indian. All that mattered to the Lamsons, the soldiers and all the residents of Hutchinson was the fact that this body was that of an Indian; therefore it was deemed guilty merely due to its Indianness.

Although the body’s guilt was defined by its Indianness, the body’s guilt was also expressed by the acts of killing, mutilation (scalping and the use of firecrackers), and in the display of the body. The displaying of the body outside the store represented a guilty Indian; it is also where the body became a symbol of power; it showed that Hutchinson had the ability to punish and defend itself from its enemy; its citizens could bring order to the dangerous Minnesota frontier which at this time was believed to be full of savage Indians. In a time of white-Indian conflict, “Mr Indian’s” body symbolised the citizens of Hutchinson’s yearning for power, domination, and control over the Indian. Such aspirations were thwarted by the continued presence of roaming Dakota Indians on Minnesota’s frontier. However, when the residents mutilated this unknown Indian’s body, Hutchinson effectively seized command over the body. Because the body was an Indian, citizens and soldiers in Hutchinson already defined it as racially inferior therefore the body could be treated like an animal carcass. By doing so, Hutchinson symbolically showed what they considered to be the racial order: namely, the superiority of whites and the inferiority of the Indian. Further, as this mutilation occurred on the Fourth of July, a celebration of America and Americanness, this showed the rejection of the Indian not only from Minnesota’s frontier but from American society. When the scalping bounty and the mutilation of “Mr. Indian’s” body occurred on Independence Day 1863, Minnesota declared their independence from the Dakota Indian. Not only do these acts of mutilation show specific elements of lynching as well as Minnesota symbolically declaring their Independence from the Indian but this was perceived as a just killing of an Indian in order to protect a community from any further Indian attacks. This act of lynching was endorsed by Hutchinson because they participated in the act of lynching, even if they only witnessed this punishment they became part of the spectacle.

The next chapter examines the images of lynching during and after the Dakota Uprising. Specifically, the stereoview of Little Crow's scalp and the photograph of Little Six and Medicine Bottle's hanging at Fort Snelling in 1865. By examining these images within the context of lynching, it shows how lynching in terms of death and punishment of Indians was defined and justified in Minnesota. Also examined is the act of scalping which in the nineteenth-century took on several purposes such as profit, the collection of a trophy, a way to show disdain and to inflict further punishment towards an enemy.

Chapter 3: Little Crow and Scalping

The Dakota Uprising did much to enhance American racism not only against the Dakota Indians but towards other Indian tribes across America. This is evident in the culture of personal narratives as well as general narratives, newspaper reports, and the photographs that were taken during and in the aftermath of the Dakota Uprising.¹ This culture had a profound impact at the time as well as a long term impact. As Heather A. Shannon asserts, “[t]he changing meanings ascribed to [these photographs] illuminate how white conceptions of Native Americans evolved in the most aggressive period of westward expansion.”² The photographs that capture the Dakota Uprising are a collection of hundreds of images. From the late 1850s to 1870, there were approximately thirty photographers working in St. Paul, Minneapolis, and St. Anthony.³ One of these photographers was Adrian J. Ebell who in the summer of 1862 whilst living in Chicago decided to hire an assistant, Edwin R. Lawton, so he could go to Minnesota to photograph Minnesota’s Indians.⁴ After arriving in Minnesota, on 6 August 1862, Ebell went to the prominent Minnesota photographer, Joel E. Whitney, to hire camera equipment. After this, Ebell and Lawton went to the Upper Agency hopeful to capture the Dakota Indians receiving their government annuity payments.⁵ Instead, what

¹ See, for example, Charles S. Bryant, Abel B. Murch, *A History of the Great Massacre by the Sioux Indians, in Minnesota, including the Personal Narratives of Many Who Escaped*, 2 ed., (Cincinnati: Rickey & Carroll, 1864); Isaac V. D. Heard, *History of the Sioux War and Massacres of 1862 and 1863* New York: Harper & Brothers, 1863); Fanny Kelly, *Narrative of my Captivity among Sioux Indians.: with a brief account of General Sully’s Expedition in 1864, bearing upon events occurring in my captivity* (Hartford: Mutual Publishing Company, 1871); Sarah L. Larimer, *The Capture and Escape; or, Life Among the Sioux* (Philadelphia: Claxton, Remsen & Haffelfinger, 1871); Harriet E. Bishop McConkey, 2nd ed., *Dakota War Whoop: Or, Indian Massacres and War in Minnesota, of 1862-3* (St Paul: WM. J. Moses’ Press, 1864), p. 343; Marion P. Satterlee, *Narratives of the Sioux War* (Minnesota: Minnesota Historical Society, 1915).

² Shannon, ‘Photographs of the 1862 Sioux Revolt’, p. 290 – 291. For analysis of the Dakota Uprising photographs, see, for example, Heather A. Shannon, ‘Photographs of the 1862 Sioux Revolt: From National Sensation to Ethnographic Documentation’, in *Princeton University Library Chronicle*, Vol. LXVII, No. 2, (2005 – 2006), pp. 290 – 313 (p. 290 – 291); Bonnie G. Wilson, ‘Working the Light: Nineteenth-Century Professional Photographers in Minnesota’, *Minnesota History, The Quarterly of Minnesota Historical Society*, 52, 1990, pp. 42-60 (p. 45); and Alan R. Woolworth, ‘Adrian J. Ebell, Photographer and Journalist of Dakota War of 1862’, *Minnesota Historical Society Collections*, (1994), pp. 87 – 92.

³ Shannon, ‘Photographs of the 1862 Sioux Revolt’, p. 291, fn. 2

⁴ Woolworth, ‘Adrian J. Ebell, Photographer and Journalist of Dakota War of 1862’, p. 87 - 88

⁵ *Ibid.*, p. 87 - 88

began was the Dakota Uprising to which Ebell and Lawton found themselves fleeing to safety with other whites. During this time, Ebell captured Minnesota's white refugees.⁶ Ebell and Lawton then returned to St. Paul, where they took the plates to be processed in Whitney's studio. What Ebell captured was more than examples of early western photography "they are among the first photographs to document a conflict between Indians and whites in the West".⁷

Joel Emmons Whitney was the first major figure of photography in Minnesota. In 1850, at the age of twenty-eight, Whitney moved to St. Paul, where he built a very successful photography business by using "new technologies that came along and diversification of products and endeavors."⁸ Wilson notes, "Whitney's best investment" was his "discovery and education" of Charles Alfred Zimmerman.⁹ Zimmerman was born on 31 June 1844 in Strasbourg, Alsace, France.¹⁰ In 1848 Zimmerman went to America and in 1856 he arrived in St. Paul with his parents. By the age of fourteen Zimmerman had built his own camera which he took to Whitney who was so impressed he hired Zimmerman as his assistant. By 1870, Zimmerman was a partner at the studio and in 1871 he purchased the business. Typically, Zimmerman's photography centred on landscape photography for which he won two gold medals at national expositions: Philadelphia in 1871 and the Centennial Exposition of 1876.

However, both Whitney and Zimmerman produced some of the more shocking imagery of the Dakota Uprising. Such imagery offers "evidence of the retaliatory violence perpetrated by whites against the Sioux", but these photographs which include "grisly hangings and Indian scalps" are rarely reproduced.¹¹ Some of these photographs include Zimmerman's stereoview of Little Crow's scalp (see figure 1) and Whitney's photograph of Little Six and Medicine Bottle's hanging at Fort Snelling, Minnesota, in 1865 (see figure 2). This chapter will examine these images within the context of lynching in Minnesota after the Dakota Uprising. What these images represented in Minnesota was death and punishment of Indians who were

⁶ Ibid., p. 90

⁷ Ibid., p. 90 ; Shannon, 'Photographs of the 1862 Sioux Revolt.,, p. 313

⁸ Wilson, 'Working the Light', p. 45. For quote, see Rev. Edward D. Neill, History of Ramsey County and the City of St. Paul including the Explorers and Pioneers of Minnesota, and J. Fletcher Williams, Outlines of the History of Minnesota (Minneapolis: North Star Publishing Company, 1881), p. 632.

⁹ Ibid., p. 49

¹⁰ Neill, History of Ramsey County and the City of St. Paul including the Explorers and Pioneers of Minnesota, and J. Fletcher Williams, Outlines of the History of Minnesota (Minneapolis: North Star Publishing Company, 1881), p.. 632 – 633

¹¹ Ibid., p. 291, fn. 2

deemed to have participated in the killing of whites. In the photo of Little Six and Medicine Bottle, death and punishment is represented by a legal hanging which was attended by soldiers and citizens who wanted to witness the spectacle. In comparison, the stereograph of Little Crow's scalp does not depict any aspect of his lynching such as showing those who witnessed or performed the act, rather death and punishment is only represented by his scalp. However, this stereoview does reveal how Little Crow was defined as the leader of the Dakota Uprising which in turn reveals how this stereoview justified the killing of Little Crow.

The stereograph of Little Crow's scalp also highlights the act of scalping. In 1864, Richard Burton noted, "[t]he underlying idea" of scalping is "the natural wish to preserve a memorial of the hated foeman done to death, and at the same time to dishonour his foul remains."¹² Both the memorial of hatred and dishonour of Little Crow are evident in the stereoview. This stereoview is a visual of Little Crow's end: "a trophy exhibited by the state" which "seemed at the time a more fitting tribute to the triumph of "civilization" over "savagery."¹³ In this instance, savagery is defined by the scalp, rather than focusing on the act of scalping, and those who performed the act on "Mr. Indian's" body. The scalp itself has been used to dehumanise Little Crow. By using only Little Crow's scalp, he is not regarded as a person. To further dehumanise and demonise Little Crow the title of the stereograph is 'Scalp of "Little Crow," Leader of Minn. Indian Massacre, 1862'. This was not only used as a way to define Little Crow as the leader of the Dakota Indian massacres but also to the act of scalping. By using this title to demonise Little Crow, Zimmerman has legitimised the lynching as well as the scalping of Little Crow. Much like the lynching photographs of the late nineteenth and early twentieth century which became a way of depicting and defining African Americans, the stereograph of Little Crow's scalping and the hanging of Little Six and Medicine Bottle show how photography not only "depicted" but defined Dakota Indians.¹⁴

¹² Burton, 'Notes on Scalping', p. 49)

¹³ Anderson, Little Crow, p. 2

¹⁴ Mick Gidley, 'Manifest Destiny and Visual Culture: Photographing American Indians: Repression and Revision', in David Holloway and John Beck, ed., *American Visual Cultures* (London & New York: Continuum, 2005) pp. 21 – 30 (p. 21) (Emphasis in original).

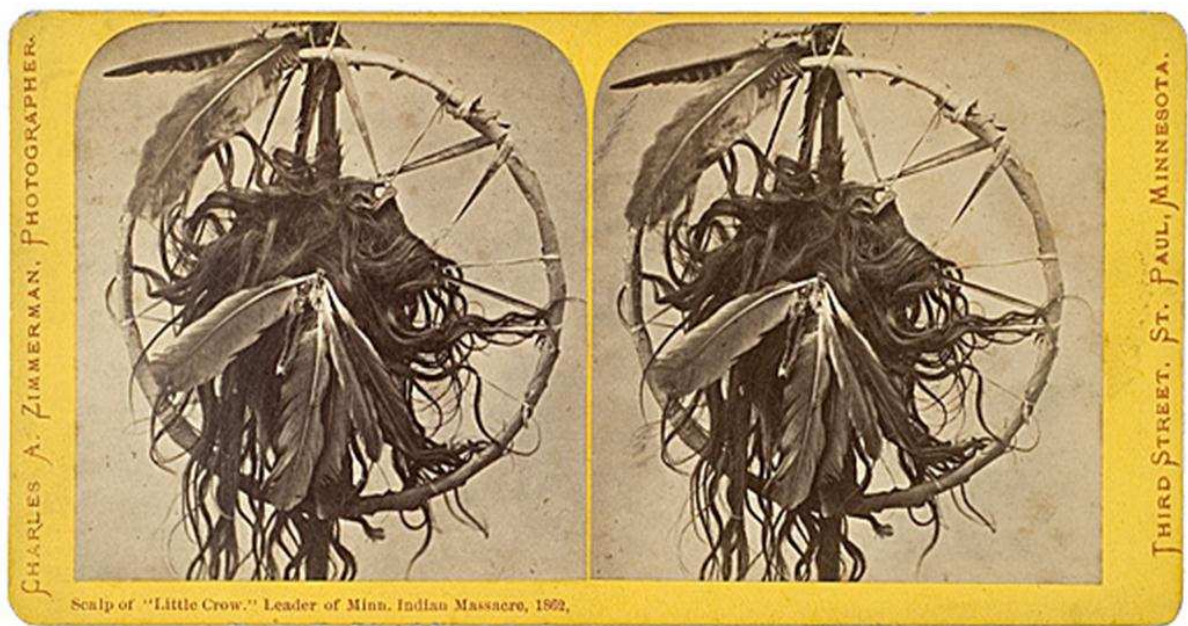


Figure 1: Charles A. Zimmerman, St. Paul, Minnesota, Scalp of "Little Crow," Leader of Minn. Indian Massacre, 1862.¹⁵

¹⁵ 'Charles A. Zimmerman Stereoview of Scalp of Little Crow, Leader of Minn. Indian Massacre, 1862', Bidsquare, (2016)
<https://www.bidsquare.com/1/34/charles-zimmerman-stereoview-scalp-little-crow-leader-minn-indian-massacre-1862> (accessed 20 December 2016)

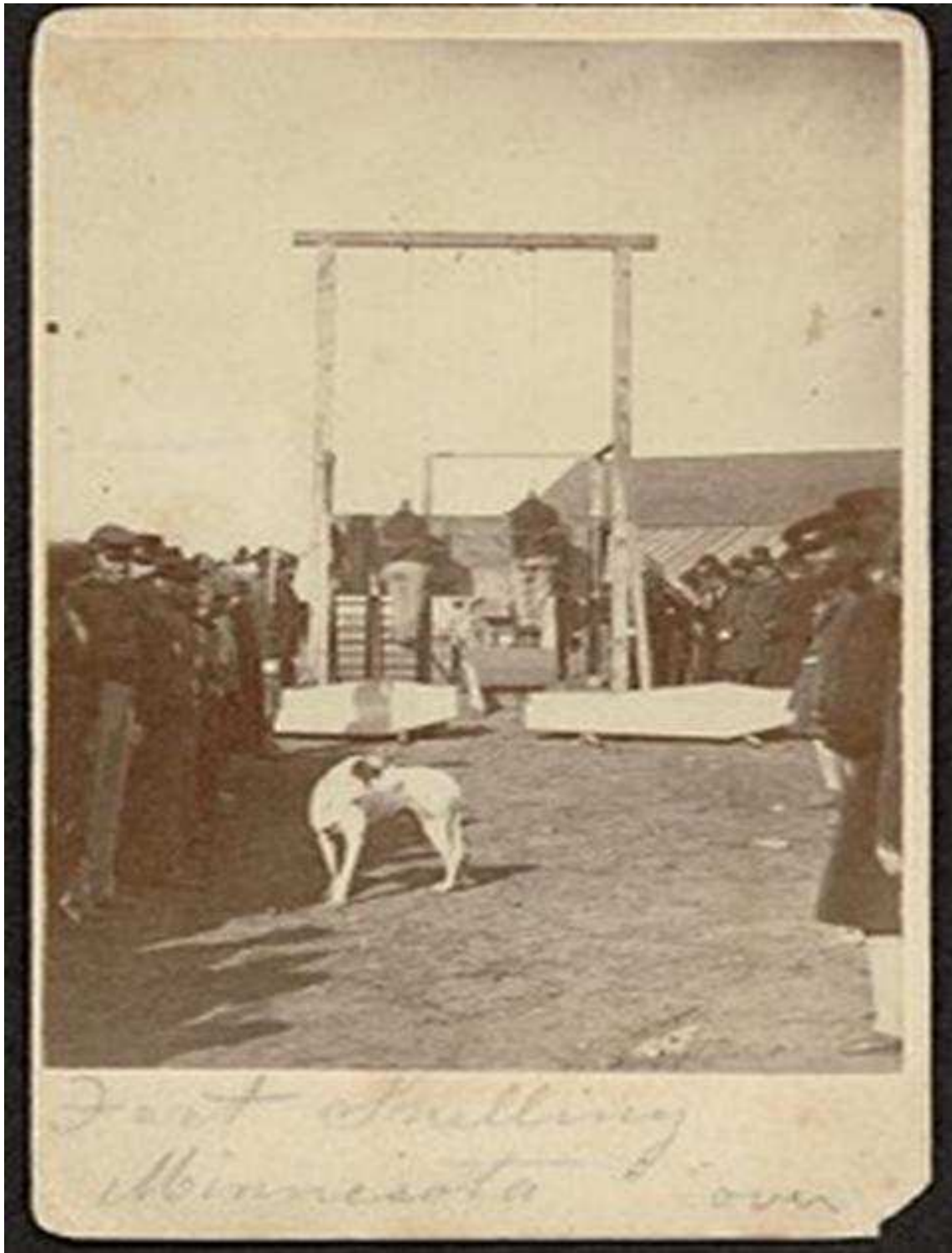


Figure 2: Joel E. Whitney, St. Paul, Minn., The Hanging of Little Six and Medicine Bottle at Fort Snelling, Minn., 1865¹⁶

¹⁶ 'Hanging of Little Six and Medicine Bottle at Fort Snelling, Minn., 1865', Princeton University Digital Library, (2010), <http://pudl.princeton.edu/sheetreader.php?obj=vt150j57f> (accessed 20 October 2016)

In their examination of lynching photographs, Jessy J. Ohl and Jennifer E. Potter observe ten photographs in *Without Sanctuary* which are etched with the alleged crime committed by the victim. As a result, Ohl and Potter show “[t]his denied victimhood to those lynched by defining them as criminals and allowed White men to justify their violent actions as protections of their community.”¹⁷ One of these photographs is of the Duluth lynching (see figure 3). Etched onto this photograph are the words: “Three Negroes lynched at Duluth, Minn. for rape. Oct, 1919”.¹⁸ Thus at the time this photograph became a way of defining African American criminality and notions of white justice.

¹⁷ Jessy J. Ohl & Jennifer E. Potter, ‘United We Lynch: Post-Racism and the (Re)Membering of Racial Violence in *Without Sanctuary: Lynching Photography in America*’, *Southern Communication Journal*, Vol. 78, No. 3, (2013), pp. 185 – 201 (p. 192). See also James Allen, ‘Lynching Photographs: A Collector’s Reflection’, *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 92 – 95; Dora Apel, ‘Torture Culture: Lynching Photographs and the Images of Abu Ghraib’ *Art Journal*, Vol. 64, No. 2, (2005), p. 88 – 100; Natasha Barnes, ‘On *Without Sanctuary*’, *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 86 – 91; Hazel Carby, ‘A Strange and Bitter Crop: the Spectacle of Torture’, *Open Democracy*, 11 October 2004, https://www.opendemocracy.net/media-abu_ghraib/article_2149.jsp (accessed 21 October 2016); Walter Cohen, ‘Lynching, Visuality, Empire’, *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 116 – 121; Christine Harold and Kevin Michael DeLuca, ‘Behind the Corpse: Violent Images and the Case of Emmett Till’, *Rhetoric & Public Affairs*, Vol. 8, No. 2, (2005), pp. 263 – 286; Robert L. Harris Jr., ‘Lynching and US History’, *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 130 – 131; Fred Mazelis, ‘“Witness”: An important chapter in US history: New York photo exhibit on lynching’, *World Socialist Website*, (2000), <https://www.wsws.org/en/articles/2000/02/lync-f02.html> (accessed 21 October 2016); Raiford, ‘Lynching, Visuality, and the Un/Making of Blackness’, pp. 22 – 31; Ira M. Wasserman, ‘Media Rhetoric and Images of Lynching in the Nineteenth and Twentieth Centuries’, *Michigan Sociological Review*, Vol. 12, (1998), 68 – 94; Anne Rice, ‘How We Remember Lynching’, *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 32 – 43; Ashraf Rushdy, ‘Exquisite Corpse’, *Transition*, Vol. 9, No. 3, (2000), pp. 70 – 77; Shirley Samuel, ‘Death and Photography’ *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 122 – 129; Luc Sante, ‘Tourists and Torturers’ *New York Times: The Opinion Pages*, 11 May 2004, http://www.nytimes.com/2004/05/11/opinion/tourists-and-torturers.html?_r=0 (accessed 21 October 2016); Amy Louise Wood, ‘Lynching Photography and the Visual Reproduction of White Supremacy’, *American Nineteenth Century History*, Vol. 6, No. 3, (2006), pp. 373 – 399; and Wendy Wolters, ‘Without Sanctuary: Bearing Witness, Bearing Whiteness’, *JAC*, Vol. 24, No. 2, Special Issue, Part 1: Trauma and Rhetoric (2004), pp. 399 – 425.

¹⁸ James Allen and John Littlefield, ‘Without Sanctuary’, (2005), photograph no. 24 withoutsanctuary.org/main.html. For other photographs of the Duluth lynching, see photographs 25 and 26. Notably, on the ‘Without Sanctuary’ website it states that photograph No. 78 the ‘The Lynching of Richard Dillon’ on 7 March 1904 is in Minnesota. This is not the case; this is a photograph from the lynching of Richard Dixon in Springfield, Ohio. See Darnell Edward Carter, *The 1904, 1906, and 1921 Race Riots in Springfield, Ohio and the Hoodlum Theory* (Ohio State University: MA Thesis, 1993), pp. 22 – 39. See also ‘Lynch Law’ ‘in Springfield—A Negro shot to Death by a Mob and Hanged’ in *The Hocking Sentinel*, 10 March 1904, and ‘Mob in Ohio Shoots Negro Murderer Dead’, *New York Times* 8 March 1904, query.nytimes.com/mem/archive-free/pdf?res=9B01E6D9103BE631A2575BC0A9659C946597D6CF (accessed 21 October 2016)

Image unavailable due to copyright

Figure 3: Photographer unknown, real photo postcard The Lynching of nineteen year old Elias Clayton, nineteen year old Elmer Jackson, and Twenty year old Isaac McGhie, 15 June 1920, Duluth, MN.

This lynching photograph along with many others became a site of struggle over the “meaning, possession, representation, and memorialization of the black body from the late nineteenth century in the early twentieth century.”¹⁹ In southern white hands, lynching photographs “served to extend and redefine the boundaries of white community beyond the localities in which lynchings occurred to a larger “imagined community.””²⁰ Whereas in African American activists’ hands, lynching photographs were used in dismantling and reframing, thus reversing the photographs meaning in order to “recast [them] as a call to arms against a seeming neverending tide of violent coercion, and transformed into tools for the making of a new African American national identity.”²¹ Lynching photographs like all photography is both “a cultural site of subjugation and a technology of liberation.”²² Like photographs, stereographs were part of lynching’s visual culture.

In the 1860s and 1870s, stereoviews were a popular form of entertainment at amusement parlours. They worked by placing two nearly identical photographs side-by-side on a card so when viewed through a stereoscope they mimicked the “mechanics of human vision” creating a single three-dimensional image.²³ Oliver Wendell Holmes noted in his essay marking the arrival of the stereograph that when viewed the stereograph produced “an appearance of reality which cheats the senses with its seeming truth”, or in other words the stereograph created an image that was both realistic and fantasy especially when the image was of a fictional representation.²⁴ In her examination of lynching’s spectacle, Amy Louise Wood notes through “methods of presentation” that lynching photographs and stereoviews provided visible evidence that legitimised the apparent social need for lynching.²⁵

¹⁹ Leigh Raiford, ‘Lynching, Visuality, and the Un/Making of Blackness’, *Nka: Journal of Contemporary African Art*, No. 20, (2006), pp. 22 – 31 (p. 22)

²⁰ *Ibid.*, p. 22

²¹ *Ibid.*, p. 22

²² *Ibid.*, p. 27

²³ For more on the use of the stereoscope, see Sir David Brewster, *The Stereoscope its History, Theory, and Construction with its Applications to the Fine and Useful Arts and to Education* (London: John Murray, 1856); Martha A Sandweiss, ‘A Stereoscopic View of the American West’, in *Princeton University Library Chronicle*, Vol. LXVII, No. 2, (2005 – 2006), pp. 271 – 289 (p. 275)

²⁴ Oliver Wendell Holmes, ‘The Stereoscope and the Stereograph’, *The Atlantic*, June 1859, <http://www.theatlantic.com/magazine/archive/1859/06/the-stereoscope-and-the-stereograph/303361/> (accessed 20 October 2016); Wood, *Lynching and Spectacle.*, p. 103 – 104

²⁵ Wood, *Lynching and Spectacle*, p. 93.

The stereoview of Little Crow's scalp can and should be read and viewed as "evidence of death."²⁶ The image of Little Crow's scalp not only represents death and punishment but it villainized Little Crow as being the leader of the Dakota Uprising. During and after the Dakota Uprising, Minnesota regarded the killing of Dakota Indians as necessary for white Minnesotans to make their frontier safe. When Nathan and Chauncey Lamson shot and killed an unknown Indian, this killing was labelled as justifiable, legitimate and heroic, because it was reported "[t]his Indian, then, was the Indian who killed that man" — that man being James McGannon.²⁷ This "prowling" Indian like all roaming Indians in Minnesota was regarded as a hostile and therefore could be killed.²⁸ However, when the identity of "Mr. Indian" was revealed as Little Crow at the end of July (nearly a month after he was killed), not only did this extralegal killing become legitimate but the Lamsons were regarded as even more heroic.

In his address to the Legislature in 1864, Governor Henry A. Swift commented on the successful "measures" that Minnesota had undertaken to clear the state of hostile Indians, the measures being the guarding of the frontier by a military force and the corps of armed state scouts to track, kill and be rewarded for "every hostile Sioux warrior killed".²⁹ As a result, Governor Swift believed these measures to be "effectual in clearing the State of hostile Indians."³⁰ "Among the first of the Indians who paid for their atrocities was Little Crow", who according to Governor Swift and many Minnesotans was "the leader and master spirit of the Sioux outbreak".³¹ It was Little Crow's status that prompted Governor Swift to suggest that "Nathan Lampson [sic] and his son" were "brave men, who were instrumental in ridding the earth of this monster, and who have been reduced to penury by the Indian raid, are not entitled to some reward commensurate with the service rendered."³² A few days later, on 13 January, Governor Stephen Miller also recommended a reward for the Lamsons "meritorious service":

²⁶ Jacqueline Goldsby, *A Spectacular Secret: Lynching in American Life and Literature* (Chicago and London: The University of Chicago Press, 2006), pp. 220

²⁷ *The Saint Paul Daily Press*, 10 July 1863

²⁸ *Ibid.*

²⁹ Governor Swift Message to the Legislature of Minnesota, 11 January 1864 (St. Paul: Frederick Driscoll: 1864), pp. 3 – 33 (p. 21)

³⁰ *Ibid.*, p. 21

³¹ *Ibid.*, p. 21

³² *Ibid.*, p. 21

I deem it my duty to call your attention to the cases of Nathan Lamson and Chauncey [sic] Lamson, who on the third of July last, shot and killed the Sioux chief "Little Crow," the principal leader and instigator of the Indian massacres on our border. This meritorious service on their part, deserves proper consideration at your hands; and I therefore respectfully suggest that such provision be made for them, as may comport with the dignity of the State.³³

The Lamsons were considered heroes because Minnesotans and others across the United States believed that they killed the “monster”, the “principal leader and instigator” of the Dakota Uprising therefore it was decided that the Lamsons should be rewarded for their service. The next year, on 24 February 1864, the Legislature of the State of Minnesota issued ‘An Act for the relief of Nathan Lamson.’³⁴ Nathan Lamson received the sum of five-hundred dollars for killing Little Crow (See Figure 4). Chauncey also received a reward of three-hundred dollars which is less than his father even though it was Chauncey who killed Little Crow.³⁵

What this represents is monetary payment for a white killing an Indian. But as we have seen, the killing of Little Crow was a lynching – an extralegal act that was endorsed and sanctioned by the community of Hutchinson. The community participated in the lynching when they either mutilated or witnessed the body of “Mr. Indian” as part of their Fourth of July celebrations. What this reward payment represents, then, is more than the killing of an Indian by a white; it represents that an extralegal lynching has been sanctioned, endorsed and legitimised by the state of Minnesota. Notably, on the reward that Lamson received is the image of a noble savage. The image of the noble savage refers to an Indian being uncivilised, animal-like and of a bloodthirsty nature, and at the same time someone who had inherent elements of virtue, humanity, and wisdom. This image is quite different to the way Minnesotans seem to have understood Little Crow. If the Dakota Uprising showed anything to white Minnesotans, it was that whites and Indians could not live together in the same state. This reward also shows the sentiment that white civilization had triumphed over Indian savagery. This is evident in the reward being paid to Nathan Lamson, a white Minnesotan, for

³³ Inaugural Address of Governor Miller to the Legislature of Minnesota delivered 13 January 1864 (St. Paul: Frederick Driscoll, 1864), pp. 3 – 11 (p. 10)

³⁴ Minnesota Session Laws – 1864, Regular Session, Special Laws – Chapter 84 ‘An Act for the relief of Nathan Lamson’, 24 February 1864, p. 352, <https://www.revisor.mn.gov/laws/?year=1864&type=0&doctype=Chapter&group=Special+Laws&id=84> (accessed 13 January 2016)

³⁵ Routel, ‘Minnesota Bounties’, pp. 34 - 36 (p. 35)

the killing of Little Crow, an Indian. The image of the noble savage therefore suggests that the Indian is representing the past. The previous year had seen much change in Minnesota with regards to the Indian. In particular, Dakota Indians had been removed from the state and Little Crow was now dead. Thus, the image on the reward suggests that the state believed it was in the progress of becoming fully independent of the Indian therefore they could reinvent the image of the Indian. They did so by reinventing the Indian as seen by whites. This was Minnesota's reinvention of the Indian; a reinvention that allowed Minnesotans not only to idealise the Indian as a relic of the past but it was also a way to remember the Indian because the Indian was becoming a vanishing race in Minnesota.

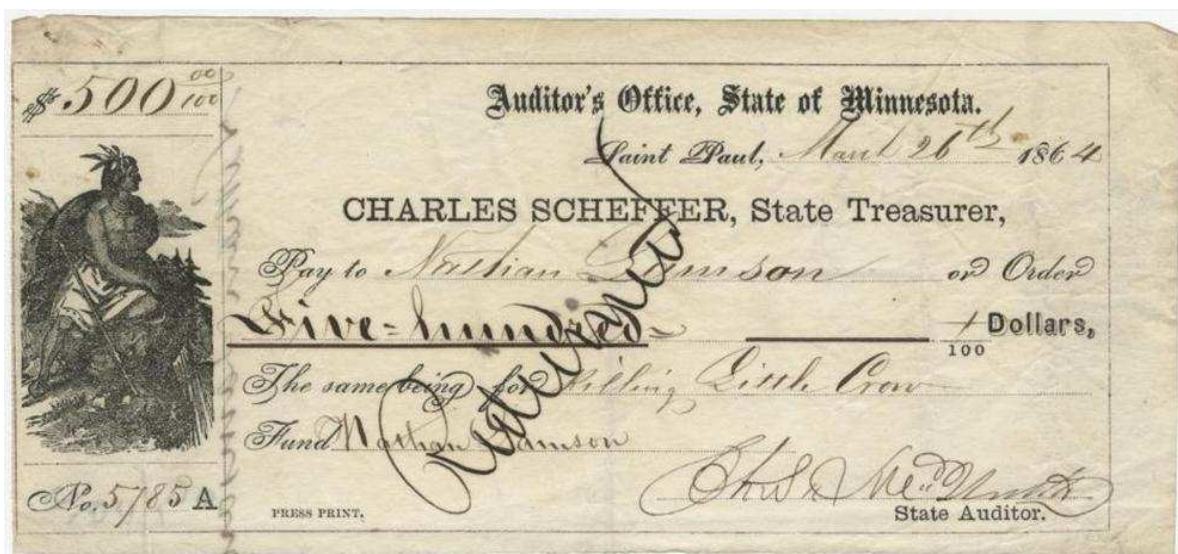


Figure 4: Nathan Lamson's \$500 reward from the State of Minnesota, St. Paul, for the killing of Little Crow 26 March 1864.³⁶

The scene in the photograph taken by Whitney at the hanging of Little Six and Medicine Bottle on 11 November 1865 at Fort Snelling is one of death and punishment. This is highlighted by the way the two rows of people on the periphery of the photograph channel the gaze of the viewer towards the main focus of the photograph which is the scaffold situated in the centre towards the back of the scene. In front of the scaffold are two coffins which have been purposefully laid there in order to accommodate the two dead Indian bodies. This was a bright November day, note the coffin on the left which is adorned with the shadow of the soldier holding the gun; shadows also line the ground on the left side as well as appearing on

³⁶ 'Bounties', Minnesota Historical Society: The US-Dakota War of 1862, (2016) <http://www.usdakotawar.org/sites/default/files/styles/480x/public/BountyCheck.jpg?itok=xy5ReP1v> (accessed 20 April 2016)

the scaffold. In order to restrict any movement during the hanging, Little Six and Medicine Bottle had ropes tied around their torso and arms. Movement is evident in blurriness of the two hanging Indian bodies particularly their legs which suggests that the bodies were in motion when the photograph was taken. Perhaps, Whitney took the photo when Little Six and Medicine Bottle were still alive and therefore struggling, or more likely Whitney took the photo just after Little Six and Medicine Bottle finished their final struggle before death which resulted in the bodies swaying. Because of the scaffold, the swinging hanging bodies, the coffins and the dog are the photograph's main focus, therefore it is easy to neglect those who have channelled their gaze away from the scaffold towards the camera: namely, the rows of people on either side of the scaffold. It is evident that all of the spectators that can be seen are male and adults. It seems that this was a male dominated day when these men showed that white masculinity was superior to that of two hanging male Indians.

Because the crowd's gaze is aimed towards the camera, it suggests that Whitney had notified the spectators of the moment he was going to take the photograph thus allowing them to pose accordingly. As a result, many of the crowd's faces are clear while others are unclear and slightly blurred; the faces that are clear seem to express solemnness. However, this photograph shows that this crowd justified and supported the hanging of these two Indians because they attended and witnessed the event. Although this hanging took place at Fort Snelling, scattered amongst the soldiers are citizens. Following the trial and sentence of Little Six and Medicine Bottle, soldiers and citizen not only witnessed the hanging but also justified the act with a photo that depicts the soldiers and citizens punishing two Indians who were believed to have participated in the Dakota Uprising in 1862. Because the photograph depicts the soldiers and citizens surrounding the two hanging Indian bodies of Little Six and Medicine Bottle, this photograph shows those who are guilty and those who punish the guilty.

Further justification is noted on the back of the photograph which states: "Little Six & Medicine Bottle 2 Indian chiefs hang [now?] 1865 for being in the Indian massacre of 1862". By writing this on the photograph, someone has defined the image as being one of Indian criminality and white justice. This is represented by the two Indians hanging in the background, whilst in the foreground white soldiers and citizens look towards the camera ultimately showing what they perceived as white justice over Indian murderers. Also on the back of this photograph is a stamp which suggests at some point this photograph was sent to

someone, perhaps to a family member or friend as a souvenir. The Fort Snelling hanging was in part justified and legitimised by Minnesotans use of photographs which visually represented Indians as criminals thereby justifying the hanging of these two Indians. Similarly, Little Crow's stereograph can be considered in this guise due to the stereograph defining Little Crow as the leader of the massacres of whites during the Dakota Uprising in 1862.

Carrigan argues that central Texas's violence of vigilantism, lynching, and murder was linked and shaped by "historical memory"—"the ways in which individuals, social groups, and communities shape recollections to suit present needs."³⁷ As a result, those who participated and committed acts of violence in central Texas "created, justified, and long preserved a robust culture of violence."³⁸ For example, the annexation of Texas and the subsequent U.S.-Mexican war was justified by labelling Mexico as deceitful and wanting to enslave Texans under a dictatorial government, abetted by editorials these justifications created powerful memories celebrating the use of violence against Mexicans as well as Mexico.³⁹ Therefore, the U.S. Mexican War as well as the Alamo and Goliad shaped central Texans' "historical memory" of Mexicans.⁴⁰ Like the U.S.-Mexican War, the historical memory of the Dakota Uprising provided a way for Minnesotans to justify their violence through visual representations of death and punishment. The cultural significance of Little Crow's scalp changed over time. When the scalp was initially taken from "Mr. Indian" in 1863, the scalp symbolised the killing of a roaming Indian in order to protect Hutchinson from any further Indian attacks as well an act of Hutchinson and therefore Minnesotan vengeance for the Dakota Uprising the previous year. Only when the identity of Little Crow was revealed did the scalp evoke a more cultural meaning than it had previously. Not only did the scalp become a symbol of white vengeance for the Dakota Uprising and the killing of an unknown Indian, it also symbolised the consequence of Indian defiance, white supremacy and Dakota Indian inferiority. The story attached to the scalp became one that defined the heroic defence

³⁷ Carrigan, *The Making of Lynching Culture*, p. 3, p. 10

³⁸ *Ibid.*, p. 4

³⁹ *Ibid.*, p. 17

⁴⁰ *Ibid.*, p. 29. For mob violence against Mexicans in Central Texas, see: Chapter 1 violence against Mexicans before, during, and after the U.S. Mexican War; for migration of Mexicans to central Texas, mob violence in South Texas, the need of Mexican labour in Central Texas, and a comparison between Mexicans and African Americans, see: 174 – 179.

of Minnesota's frontier by two frontiersmen who put their lives in danger and singlehandedly went against an Indian who many believed to be the most dangerous and hostile savage. Perhaps most importantly this stereograph is a representation of death in two senses: mutilation and scalping.

In her account of the Dakota Uprising, Harriet E. Bishop McConkey commented on Little Crow's scalp being a "trophy". By labelling the scalp as a trophy, it symbolised not only an object to signify Minnesota's triumph over the Dakota Indians but it meant civilization triumphing over savagery. In order to justify the taking of this scalp, McConkey states: "The leader of the bloody insurrection and the first Indian war which has scourged our State, in which, for the first time, white men felt the scalping-knife of the savage, now his own head, in turn, paying the forfeit, furnishing the first scalp which white man has ever taken!"⁴¹ Of course, this was not the first instance of a white scalping an Indian. In fact, scalping has been part of what Benjamin Madley calls a "tradition" in white-Indian violence throughout American history.⁴² Throughout this time, scalping became a "profitable business", "a way to inventory killing" as part of scalping bounties; moreover, scalping has also allowed the collection of "macabre trophies", and those who scalp to "express a profound disdain for victims".⁴³ In the nineteenth century, it seems that scalping truly became part of American violence because scalping not only defined white-Indian violence but scalping crossed other racial boundaries.⁴⁴ Like lynching, scalping during the nineteenth century was a multifaceted method used to accomplish goals such as to justify a killing, demonise those who killed and scalped, and justify the punishment of those who were believed to have been responsible for

⁴¹ Harriet E. Bishop McConkey, 2nd ed., *Dakota War Whoop: Or, Indian Massacres and War in Minnesota, of 1862-3* (St Paul: WM. J. Moses' Press, 1864), p. 343

⁴² Madley, *American Genocide*, p. 86

⁴³ Robert Francis Seybolt, 'Hunting Indians in Massachusetts: A Scouting Journal of 1785', *The New England Quarterly*, Vol. 3, No. 3 (1930), pp. 527 – 531; Madley, *An American Genocide*, p. 86.

⁴⁴ For Mexican authority scalping bounties, see Ralph A. Smith, 'Indians in American-Mexican Relations before the War of 1846', *The Hispanic American Historical Review*, Vol. 43, No. 1 (1963), pp. 34-64; *ibid.*, 'The Scalp Hunter in the Borderlands 1835 – 1850', *Arizona and the West*, Vol. 6, No. 1 (1964), pp. 5-22; *ibid.*, 'The Bounty Wars of the West and Mexico', *Great Plains Journal* (1989-1990). See also, Pekka Hämäläinen, *The Comanche Empire* (New Haven and London: Yale University Press, 2008), p. 228, 307. For violence against Chinese, see Glenn, 'Settler Colonialism as Structure', p. 67; Pfaelzer, *Driven Out*, p. xix. See also Mike Hanley and Ellis Lucia, *Owyhee Trails: The West's Forgotten Corner* (Idaho: Caxton Printers, 1999), esp. Chapter 3: 'The Tribes Strike Back', pp. 45 - 77; Gregory Michno, *The Deadliest Indian War in the West: The Snake Conflict, 1864 - 1868* (Idaho: Caxton Press: 2007), esp. Chapter 14: 'The Regulars Arrive: Oregon, 1866', pp. 143 – 164; Elmer Rusco, 'The Chinese Massacres of 1866', *Nevada Historical Social Quarterly*, Vol. 45, No. 1 (2002), pp. 1 – 30.

acts of killing and scalping. Scalping, however, is not an act specific to the nineteenth century nor is it specific to white-Indian violence. Scalping has been used for different means over the course of American history.

Like the origin of lynching, the origin of scalping is debateable.⁴⁵ Mark van de Logt has noted, “[s]calping was an ancient custom. It existed in North America long before the arrival of Europeans.”⁴⁶ Nonetheless, white Europeans have used the act of scalping for several purposes. During the American Revolution, scalping emerged as a valuable tool for combatants: both Patriots and Loyalists were now willing to use scalping as a means to terrorise their enemies: whether Indian or Englishman.⁴⁷ At the same time, both sides claimed that their enemy’s use of scalping proved that the opposition embodied “Indian savagery.”⁴⁸ This new understanding of scalping would remain a central tension in white American wars until the end of the War of 1812 at which point scalping would shape American policy and conduct in the Indian Wars throughout the nineteenth century.⁴⁹ The previous chapter highlighted, in the case of “Mr. Indian”, that the killing of an Indian was not deemed sufficient therefore scalping and mutilation of the body became a way for Hutchinson to punish this Indian beyond death.

In European eyes, the act of scalping was “a deviant, incredible, or at least strange, Indian practice”.⁵⁰ Scalping for Europeans epitomised the savage warfare of Indians and the *mors improvisa*—meaning a “sudden and violent death”, or unexpected death—disrupting Europeans’ view of a “good death”.⁵¹ Europeans regarded scalping as the quintessential Indian trait which they feared and abhorred as a sign of savage nature. Despite this,

⁴⁵ For discussions of the origins of the term lynching, see Cutler, *Lynch-Law*, esp. Chapter 2, pp. 13 – 41; Waldrep, *The Many Faces of Judge Lynch*, esp. Chapter 1 and 2, pp. 13 – 47; and *ibid*, *Lynching in America: A History of Documents*, esp. Chapter 1, pp. 26 – 40. For discussions of the origins of scalping the act and the word, see James Axtell and William C. Sturtevant, ‘The Unkindest Cut, or Who Invented Scalping’, *The William and Mary Quarterly*, Vol. 37, No. 3 (1980), pp. 451 – 472. For more on ‘Scalping and Similar Warfare Customs in America’, see Georg Friederici, *Skalpieren und ähnliche Kriegsgebräuche in Amerika* (Braunschweig: F. Vieweg und Sohn, 1906).

⁴⁶ Mark van de Logt, “‘The Powers of the Heavens Shall Eat of My Smoke’: The Significance of Scalping in Pawnee Warfare”, *The Journal of Military History*, Vol. 72, No. 1, (2008), pp. 71 – 104 (p. 73).

⁴⁷ Zachary Brown, ‘The Rhetoric and Practice of Scalping’, *Journal of the American Revolution*, (2016), <https://allthingsliberty.com/2016/09/rhetoric-practice-scalping/> (accessed 18 October 2016)

⁴⁸ *Ibid*.

⁴⁹ *Ibid*.

⁵⁰ Abler, ‘Scalping, Torture, Cannibalism and Rape’, p. 6

⁵¹ For more on “*mors improvisa*”, see Friend and Glover, ed. *Death and the American South*, p. 20.

Europeans regularly engaged in the practice against Indians. In one example, during Pontiac's Uprising, David Owens apparently "scalped his Indian wife and four children to claim the Pennsylvania bounty."⁵² It seems that Owens scalped his Indian wife and children for the purpose of profit. However, whites often scalped Indians in retaliation for the killing of whites such as in Minnesota. Not only did Minnesota scalp but they introduced a state scalping bounty which as we have seen made the killing of Indians legal as well as allowing the scalping of Indians in the state to be profitable. There is a distinct difference between the way that whites described scalping as done by Indians and scalping as done by whites. The gory details of Indian scalping were included in the stories about alleged Indian scalplings to emphasise their savagery. Whereas, they are more a matter-of-fact about white scalplings, or they reported whites scalping in response to killings of whites especially if these killings were believed to have been perpetrated by Indians. So, rather than scalping showing the savagery of whites, whites often justified the scalping of Indians as an act of vengeance for Indian savagery. Moreover, whites often used examples of Indian scalping as a way to define and justify their violent response against the Indian. When McConkey noted that Little Crow's was "the first scalp which white man has ever taken" this allowed white Minnesotans to justify the scalping and the lynching of Little Crow as one of white vengeance for Indian savagery because Little Crow was regarded as "the leader of the bloody [Dakota Indian] insurrection". Furthermore, it became a way for white Minnesotans to define and justify their violence against Little Crow rather than it being defined as an extralegal lynching which was followed by a scalping and the mutilation of his body in Hutchinson.

As one of the aspects of whites mutilating the Indian body, scalping was part of a broader culture of body part collecting—in terms of personal collecting and the emergence of racial science as well as institutions, such as museums collecting such relics. During the mid-nineteenth century, America was establishing large public institutions such as the Smithsonian Institution opening in 1855, the Army Medical Museum being established in 1862, which after the Civil War started collecting Indian remains.⁵³ The prime objective of these new institutions was to collect Indian remains in order to "encourage the systematic

⁵² Bernard W. Sheehan, "'The Famous Hair Buyer General': Henry Hamilton, George Rogers Clark, and the American Indian", *Indiana Magazine of History*, Vol. 79, No. 1, (1983), pp. 1 – 28 (p. 19)

⁵³ *Ibid.*, p. 90 - 91

harvesting” of their “skulls and other remains.”⁵⁴ Unlike the harvesting of souvenirs at spectacle lynchings in the late nineteenth and early twentieth century, the collection of Indian remains was mainly carried out in secret after executions.⁵⁵ For example, after the Modoc War (1872 - 1873) in northern California and southern Oregon, the Modoc leader Captain Jack was hung with three others at Fort Klamath, Oregon, after the hanging their heads were sent to the Army Medical Museum.⁵⁶ Harrison asserts, to the collectors of these Indian skulls they were in part “nameless” and they were “simply representations of a racial stock.”⁵⁷ The shift from private collectors towards museums saw a shift from the identified people to the unidentified not in terms of a person’s history but as “illustrations of racial types” or for “medical investigation.”⁵⁸ Over the course of the nineteenth century private collectors became interested in the individuality as well as the personalities of their relic. Therefore, Indian skulls became part of a culture which became a way to view an individual’s life-history which in turn established and recycled a “public meaning.”⁵⁹ Such objects, then, served dual meaning: on one hand, the hagiography of the superior white man and inferior Indian and on the other, a “sentimentalized and romanticized” image of Indians as a “heroic, but vanishing” race.⁶⁰

This practice is evident during the Dakota Uprising. For instance, after the hanging of the 38 Dakota Indians at least some of the bodies were looted by souvenir hunters, and later unearthed by local physicians and dissected. On 26th December 1887, exactly twenty-five years after the hanging of 38 Dakota Indians, John F Meagher wrote to J. Fletcher Williams at the Minnesota Historical Society enclosing a “relic” which was Chaska Don’s hair, one of the 38 Dakota Indians hung in 1862 who allegedly participated in the killing of a clerk named George Gleason.⁶¹ Meagher stated that he intended to send this relic to Gleason’s parents or friends with the aim to show that “George Gleason was avenged by the Strong arm of the law administerd [sic] by the Govrment [sic]”.⁶² However, Meagher failed to do this so he had the

⁵⁴ Harrison, *Dark Trophies* p. 91

⁵⁵ *Ibid.*, p. 91

⁵⁶ *Ibid.*, p. 91

⁵⁷ *Ibid.*, p. 91

⁵⁸ *Ibid.*, p. 91

⁵⁹ *Ibid.*, p. 91

⁶⁰ *Ibid.*, pp. 91 – 92

⁶¹ John F Meagher, Letter to J. Fletcher Williams, 26 December 1887, Minnesota Historical Society, <http://www2.mnhs.org/library/findaids/01166/pdfa/01166-00043.pdf> (accessed 04/07/2016)

⁶² *Ibid.*

hair made into a “Watch chain” by his female friend in St. Paul, Minnesota.⁶³ Meagher admits he “wore it untill [sic] it...wore out” at which point he sent it to the Minnesota Historical Society because “it might be of interest with the other momentoes [sic] of those terrible [sic] times and that great hanging Event.”⁶⁴ Like Chaska Don’s hair, Little Crow’s scalp allowed Minnesota to use this part of his body to remember and continue to remember the Dakota Uprising not only through Little Crow’s scalp and Zimmerman’s stereoview of the scalp but through his skull and bones which were displayed at the Minnesota Historical Society. However after Minnesota’s frontier had closed, such relics became an “embarrassment” to the state and were thus removed from display.⁶⁵

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Anderson, Little Crow, p. 181

Conclusion

I have seen his [Little Crow's] scalp in St. Paul; for the white warriors practiced scalping during the aforesaid struggles as vigorously as the reds, and this sort of barbarism is still practiced on the frontiers of territories that are little settled.¹

These are the words of Robert Watt, a Danish traveller, who went to America in 1871. During this time, Watt went to Saint Paul, Minnesota, where he saw Little Crow's scalp at the Minnesota Historical Society who had acquired the famous chief's scalp in 1868. During the nineteenth century, as previously stated, the treatment of the Indian body took many forms but with the establishment of institutions such as museums, the Indian body took on dual meaning: on one hand, the hagiography of the superior white man and inferior Indian and on the other a "sentimentalized and romanticized" image of Indians as a "heroic, but vanishing" race.² For example, in 1833, one of the most celebrated visitors to the eastern states of the United States was a "dour, sixty-six-year old Sauk Indian warrior . . . named Black Hawk."³ This occurred because in 1832 Black Hawk's capturers sent him east to be imprisoned in Fortress Monroe at Old Point Comfort, Virginia. After several weeks at the fort, Black Hawk was ordered to be released by President Andrew Jackson so the chief could return home, but only after Black Hawk had been on a guided tour of some of the largest cities that lay in the East in order to show Black Hawk the "power and strength" of America and its people who truly were "as many as leaves on tree."⁴ Because of Black Hawk's uprising against the United States he had become a "notorious figure" and a "wild and scalping savage from the remote Midwest frontier", thus the crowds came to see Black Hawk.⁵ After his death in Iowa, in 1838, Dr. James Turner, a physician in the Iowa Territory, took Black Hawk's head or skull from his grave. In 1869, Orson Squire Fowler, a famed New York phrenologist, commented on Black Hawk's "Very Large" skull. Fowler noted:

¹ Jacob Hodnefield, 'Minnesota as seen by Travellers a Danish Visitor of the Seventies', *Minnesota History Magazine*, (1929). pp. 155 – 173 (p. 172)

² Harrison, *Dark Trophies*, pp. 91 – 92

³ Josephy, *The Patriot Chiefs*, p. 211

⁴ *Ibid*, p. 211

⁵ *Ibid*, p. 211 - 212

Experience the most powerful indignation amounting, when thoroughly provoked, even to rage and violence . . . and feel like rushing into the midst of perilous dangers; tearing up and destroy whatever is in their way; a rough, harsh, and often morose in manner . . . with large Combativeness, Firmness, Self-esteem, and Approbativeness moderate, are exceedingly repulsive, hating and hateful when angry, and much more provoked than occasion requires; with large intellectuals put forth tremendous energy; and should offset this faculty by reason and moral feeling, and cultivate blandness instead of wrath.⁶

Harrison notes that Black Hawk's skull was not so much about his race but the chief's "celebrity" and the "narrative" that was attached to the skull.⁷ In short Black Hawk's skull was more than just a physical object, it was an object of memory. Like Black Hawk's skull, the skull, arm bones and scalp of Little Crow which were being held at the Minnesota Historical Society assumed more meaning than objects; these relics became objects of memory. Eventually these relics no longer defined white triumph they defined white savagery.

After Little Crow's death, his skull and arm bones were exchanged between various individuals. Dr. John Benjamin noted after he found Little Crow's skull by the grave that he took it home to preserve it either for the Minnesota Historical Society or for the skull to be kept in Hutchinson. Later, Lieut. J. M. Farmer, one of the soldiers at Hutchinson or Glencoe, asked Benjamin to loan him the skull so that he could loan it to Professor Pond so Pond could lecture on it.⁸ According to Benjamin that was "the last time" he saw "the highly prized skull of the leader of one of the most terrible massacres the annuals of history record."⁹ Because Little Crow's skull was exchanged between several individuals, it shows that his celebrity, the narrative and the memory attached to this relic was important to those in Minnesota at the time. Over time, this relic and the other parts of Little Crow's body took on different meanings especially when Minnesota's frontier closed. At this time, these relics were no

⁶ Orson Squire Fowler, *The practical phrenologist and recorder and delineator of the character and talents of [blank], as marked by [blank]: a compendium of phreno-organic science* (Riverside Cambridge: H.O Houghton and Company, 1869), p. 88. <https://archive.org/stream/practicalphrenol00fowl#page/n7/mode/2up> (accessed 20 August 2016)

⁷ Harrison, *Dark Trophies*, p. 84

⁸ 'Little Crow, The Sioux Chief. How the Famous Warrior Met His Death', Frame 71

⁹ Ibid

longer symbols of white triumph and Indian savagery; instead they became a symbol of white savagery. In short, these relics became an embarrassment to Minnesota. It seems that these relics specifically represented the memory of the methods used by Minnesota to rid the state of Indians and of Little Crow who Minnesotans deemed as the leader of the Dakota Indian Uprising. What these relics represented, then, was the mutilation of Little Crow's Indian corpse by white Minnesotans. Perhaps, what is most important is Little Crow's relics which were evidence of an extralegal killing. So, like the souvenirs of lynching such as photographs and body parts that circulated during the height of lynching in America at the end of the nineteenth and early twentieth century, many of which were eventually used by African American activists to show the savagery of the mob. Minnesota's souvenirs of Little Crow specifically his skull, scalp and arm bones came to represent a time that was no longer part of Minnesota's present or future. As a result, the meaning of the souvenirs from Little Crow's killing changed over time from relics of white triumph to relics of white savagery.

The number of lynchings perpetrated on Indians is yet to be fully examined to the extent of African American lynchings. Until the lynching of Indians is more fully examined it is not possible to fully understand lynching in America. In order to examine the lynchings of Indians in America, I propose that these broad questions need to be asked and answered: who these Indian men and women were. Where, when, why, and by whom were they lynched? What did their deaths mean? What was the scale and the significance of mob violence against Indians? Why has mob violence towards Indians typically been excluded from scholarship? It is peculiar that these questions still remain unanswered and that violence between whites and Indians in the form of lynching has yet to be examined in depth especially because violence between Indians and whites is so intrinsic to America's history. As this case study has shown, by using America's nineteenth century definition of lynching, the lynching of Indians – both legal and extralegal – did occur in Minnesota after the Dakota Uprising. As a result, this case study has not only shown that these episodes can best be understood as lynching but the number of Indians lynched in Minnesota far exceeds the number previously recorded, and more importantly it has allowed us to understand more clearly the violence between Indians and whites within a certain context: namely, the lynchings of Dakota Indians by whites in the state of Minnesota in response to the Dakota Indian Uprising in 1862.

We have seen how the lynching of Indians in Minnesota is strongly linked with the Dakota Uprising. Although the Military Commission's trials and its use of capital punishment and Minnesota's state sponsored scalping bounty blur the lines between the legal, extralegal and legitimate, they were nothing more than legal lynchings. Furthermore, by using the nineteenth century definition of lynching, this case study has shown that "Mr. Indian" (or Little Crow) was lynched on 3 July 1863 because it was endorsed and sanctioned by the community of Hutchinson. Like many lynchings, the lynching of "Mr. Indian" did not end with the killing. Rather, on 4 July 1863, "Mr. Indian's" body was mutilated as a way to show the power of Hutchinson over the Indian. In addition, because this mutilation occurred on Hutchinson's Fourth of July celebration it suggests that the citizens of Hutchinson were symbolically declaring themselves independent from the Indian and excluding the Indian from their community, the state, and America. Like the images of lynching in the late nineteenth and the early twentieth century which white southerners used to justify the lynching of African Americans and define their victims, the images of the Dakota Uprising were used as a way of defining and justifying the death and punishment of Indians in Minnesota. The stereograph of Little Crow's scalp was used to define Little Crow as the leader of the Dakota Uprising as well as justifying the methods of violence that Minnesotans used against Little Crow, such as scalping, which in turn dismisses the Lamsons extralegal killing of an Indian picking raspberries with his son. Rather than this killing being deemed extralegal, two frontiersmen were rewarded for the killing of an Indian. At first, this lynching was sanctioned and endorsed by the community of Hutchinson however over time this lynching was sanctioned and endorsed by the state of Minnesota.

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