

DIARY OF CAPT. JOHN ARCHIQUETTE
1868-1874

Saturday, October 17, 1868.

They have now arrested Jacob Powless at his sister's house, Sarah Powless.

Monday, October 19.

Today they had a hearing for him, who committed a crime. Henry Cooper and Peter Denny pleaded for the defendant, Jacob, to be let to live. Baptist Doxtator and Fire Burning Along or (John Cornelius) recommended to the Indian Court for the defendant to die, who killed a person. That is all.

Tuesday, October 20.

Again, Jacob was tried and it went according to the law, and the only way it can be settled is for his blood to go for the crime he committed.

Wednesday, October 21.

Again they tried him; they tried different ways of punishment for him, they couldn't get him in the penitentiary for life. They said, maybe he should be shot, but it was decided to hang him. They gave him three weeks to live from that time. That is what took place.

Thursday, October 22.

They are now taking Jacob to Green Bay, Wisconsin, Brown County jail for three weeks. That is the way it happened.

Monday, November 9.

Today two men were authorized to do the executing.

Friday, November 13.

Today they hung him here in Oneida, Brown County, Wisconsin, near the cemetery. John Anthony sprung the death trap and was paid \$30.00. There were many people there at the execution. When he was standing on the high scaffold and the rope or string was around his neck, he was given a chance to make a speech if he wanted to, so he did, he said, "I have made myself ready to Jesus, Jesus and I only are in one." He spoke many good words to those who do not obey. That is all on Friday.

will have to go with me part of the way. You must watch me so he knocked at the door. He said, let's talk. He asked him what he hunts Jake said, I don't hunt anything but rabbits. Jake asked him if he wanted to look at his gun, when the man got the gun he went towards the door. He called the other man he took him but they said, we have no law. The other men said, we will hang him up. They used a rope when they hung him.

Based on the information contained in these accounts, we could determine that the hanging took place in or around 1868 next to or by the Oneida cemetery on the south end, in a big tree. The man who was hanged was Jacob Powless. No trees in the area are that old (the tree would be at least 128 years old). The headstone for Jacob Powless exists within the Episcopal Church Cemetery. Therefore, we concluded there was no existing physical concern, and the burial took place in the cemetery. What concerns there were included the possible desecration of the Menominee burials--the south end of the cemetery had a natural slope to the hill and this had been removed previously by a former owner of the land, and the cultural/historical significance of disturbing what is considered to be a hallowed place. It is unlikely that development of this area will uncover any physical evidence, but what remains of concern is the community's perspective of this place and what or how they want the area to be preserved and/or protected.

all afraid because he had his gun. A man by the name of Jacob Hill volunteered to go and get him. He told the men that this man Jacob was one of his best friends and that he didn't think he would do anything to him, so they started and when they saw the log house. Jacob said to them, "you hide here and I'll go in the house, after I walk into the house then you come up close, only do not let him see you". And if I can get a hold of his gun I'll open the door and shoot, that is if he tries to attack me. That will mean, I need help. Jacob went into the log house and talked to his friend and told him that there was hope of his safety if he would come back with him and go to court with him and right away he gave him his gun and was willing to come. Then he opened the door and shot out and the men rushed in and led him to Green Bay for trial, but at that time the Oneidas were headed by Chiefs and they decided everything for them. So the white men couldn't do anything to punish him but the Chiefs gave him the sentence after many councils and they decided that he must hang for punishment. I have seen this with my own eyes. Jacob was brought back to the Oneida cemetery and way on the other side of the hill where Jacob hung and was buried. But before he hung he was allowed to say a few words to the people. While women and men were crying for pity Jacob stood up and asked the people not to cry and that he had earned what he was getting, and that he knew God had forgiven his sin. He advised the people to be very careful not to have anything like that happen again among them.

Another account (WPA):

S-28 Mrs. Nick Denny to Stadler King - "When He Was Hung"

They used to say that the biggest crowd of people that ever got together in Oneida was when they hung a man whose name was Yagwek^ (Jacob Powless) for shooting and killing a man whose name was Agwilutbagag^ (Abraham Parker). He went and hid himself in an abandoned house and he had a gun with him. The old man (Peter Denny) was a good friend of this Yagwek^ (Jacob Powless) so he was the only man who could go in where he was, he took him prisoner and he was tried before the Chiefs and they found that he must be hung. Time came and there was such a crowd of Oneidas and white people from all over. This took place close to the Oneida cemetery where they had fixed a stand on which he stood when they brought him.

A final account (WPA)

X-11 Alex Metoxen

His name is Jake. Once upon a time his friend came to visit him. In the morning he got up to build the fire. They were going with each other that morning while his friend was building the fire his friend said, shut up or I'll go over there and get in bed with your wife. Jake got mad and grabbed his gun and he shot his friend. He told somebody he shot his friend. Jake said, its up to you what you do to me. The man said we'll send one man to Jake's place. This man they said you men

all over, the crowd was the largest that ever was in Oneida to see the hanging. It was the last hanging in this State. It was at this time, that the Oneidas changed their form of government. They called it, Sachem and Councilors. They were chosen by the people, and this form of government went on for a long time. It was during this time, that the white people started to come in the Reservation to make their homes among the Oneidas. And it wasn't long before they changed the laws again. This time it was white man's law, and that's the law the Oneidas are governed by to this day. There has been three different forms of government since my life time. I am getting old. I am eighty-five years old last March.

Another account (WPA):

I-1 Mrs. Celecia Hill to Ida Blackhawk - "They Hanged Him"

When I was about nine years old the most horrible surprise I had was to see a man named Big Jacob hanged. He was hung at two o'clock in the afternoon. Early in the morning the people began to pass our house going to the place where the man was going to be hung. Lots of white people and Oneidas together were going there. There was a mob of people there. The minister offered a prayer then they allowed the Big Jacob to say whatever he felt like saying. He said, "I have committed a great crime, and that is why I am standing here in front of you. Don't ever commit such a crime." Then he was hung. That was the last time they hung anyone here. The white officials said that it was against the law of Wisconsin. This happened about sixty-eight years ago.

Another account (WPA):

J-18 Elizabeth Huff to J.A. Skenandore

Sometimes mistakes are made by being comical. Seventy years passed since Jacob Webster's (?) mistake. At that time Jacob's mind must have been wandering off or absent when he committed a murder. The day before the accident occurred Jacob went down in the cellar, while his wife was setting near a small table quilting. When he came up he carried a small bundle tied with red handkerchief, he untied it and put it on her table and she seen it was money, he counted it out and placed all coins in piles of dollars, half dollars, quarters, dimes, nickels and pennies. He then took six pennies and give it to his wife and told her to buy herself a dress. That showed that his mind was not just normal. When night came Jacob takes his gun and lays it beside himself and went to sleep. With them who was always joking and liked fun. In the morning the jolly man gets up and starts fire. When he got his fire made he says to Jacob. "Come on now get up and let me lie down awhile in your place." While the man was putting wood in the heater Jacob grabbed his gun and shoots his friend, he killed him instantly. Jacob took his gun and took to the woods. Soon the whole neighborhood were alarmed and were hunting him. Sometime afterward they received a message that this murderer was hid in an empty old log house in the woods quite a ways from there. Now then, they were puzzle how they were going to get him, they were

From the WPA Papers, 1939:

G-20 Fillmore Cooper to Guy Elm - "The Laws of the Oneidas":

We'll write a story, about the laws of the Oneidas, long time ago. The Oneidas were governed by the Chiefs. It happened at that time, a man shot another Indian the time was in the morning and that evening he died at 4 o'clock. This Indian that done the shooting was married and the Indian that got killed was single but made his home with the couple. The next morning it was still dark, he got ready, his wife was still in bed. He reloaded his gun. She didn't know what he was going to do next. She was frightened, because there was nobody in the house, but herself. But he went away, it was about six miles to his father's house, and that was where he went. He told them he had committed murder. Then he left, and went a short distance, there was a big woods there was an old hut that they used for making maple sugar and that's where he stayed. He was heavily armed, and was ready for anything. The Chiefs the law and lawmakers. They got together and hired twenty or more men to go and fetch this man dead or alive to them. This man Jake Hill volunteered to go to the house. He knocked on the door, and the man who was inside used his gun to open the door for him and went in. He talked with the man and give him a friendly advice, told him that the best way, was to give up, that the law would get him sooner or later. So the Indian surrendered, gave him his gun, then he said, to him I am leaving everything to you men do as you wish with me I am ready. They took him to their meeting place, and he had his trial. The Chief's decided his fate, he was to hang, one month from the date, that he was sentenced. They took him to Green Bay, Wisconsin. The jailkeeper told the Oneidas, he said I can't put that man in jail, you Oneidas haven't got no laws. However I can keep him here, for one month for you, but you'll have to pay his board, and if you don't come after him when the time is up, I'll let him go free. They went and got him when the month was up. They had a place built where he was to be hung. It was a big tree where everybody could see it. They came from

in forms long visible and abundant, which show you
easily more considerable while dense & commonly under
his peeling and the spots of this dark acid, in presence
of a large conserved of purpleish black indigo
and white mud.

I have the honor to be

Very Respectfully

- Hon. N. Q. Taylor

Wm. A. Brown

Chief of Dept. Affairs

Wm. S. Anderson

Washington Jan. 10. 21.

Adopted

U. S. Indian Dept.

Green Bay, Nov. 18th 1848

Sir,

Wm. Cummins, Jacob Rowlett, who were
sentenced by the Ojibwa Chiefs to be hung for

the murder of Abram Amone, were executed
on the 13th at the Ojibwa Reservation.

was not present at the execution, but was
informed by a reliable witness that you
seedling was undoubtedly will be found by and

Cher.

hanging in
Onida, Wis
Nov 16, 1868

2/2/1868

M. A. Martin
Green Bay
Nov 16th 1868.

Informs this Office of
the execution of Jacob
Poles, for the murder
Abraham Untone

60

[Signature]