

rial law of Wisconsin. As no harm can be done, I will give a brief history of this case, to show how such things were then managed. Judge Dunn was presiding at that time, and Ezekiel Taintor, who summoned me, was acting Sheriff. The defendant was a Dacotah Indian, charged with the crime of murdering a young man named Akins, whose father was prosecuting. From the evidence it appeared that Akins the senior, was a trader at the head of the Mississippi, where he had a trading house. Young Akins attended to the trading-house department, while his father who resided in a house some distance off, furnished the goods and capital. In his intercourse with the Indian, the son had seen a remarkable handsome young squaw, and taken some kind of liking for her. The squaw was the wife of a young brave. By means of numerous presents, Akins persuaded the squaw to desert her husband, and live with him in the trading house. When the Indian came for his squaw, Akins locked the doors and refused to let her go. The Indian went away, but returned the next evening about dusk, and walked into the house where Akins was sitting, and again asked for his squaw. Akins refused to let her go, and the Indian shot him dead on the spot. The father of young Akins had the Indian brought down here for trial.

The case was conducted with very few formalities; and whenever the court took a recess, the jury were locked up in a *grocery*, where for the sum of 75 cents each, we could have all the liquor we wanted, provided we did not waste or carry any away. Now imbibing was quite prevalent among all classes, in that day, and if each of the jurymen drank his 75 cents worth in one night, the Judge and Counselors could not have been far behind in that respect; and some individual was heard to say, that *the prisoner was the only sober man in the court room*. After the jury were charged, we were locked up two days and three nights—I generally got out and went home nights, but came into court in the morning; and on the third morning we brought in a verdict of “not guilty,” and the Indian was discharged.