

the former; for, in our form of government, the military must be subject to the civil authority. It is clear, therefore, that in this case Mr. Burnett was right.

It is well known, that on the frontiers, and beyond the reach of courts of justice, and sometimes within their reach, if not very strong, the military officers are very apt to exercise all the authority of the Legislative, Executive and Judicial departments, over the few straggling citizens who may chance to be in their vicinity. In some cases this has been absolutely necessary, because no other government existed. In my first visits to Fort Snelling, at the mouth of the St. Peters, then commanded by Lieut. Col. Davenport, and three hundred miles beyond the jurisdiction of any civil court, this was the only government exercised over the traders, their employees, discharged soldiers, and *voyageurs* who had settled in that vicinity. But such was the mild and patriarchal character of the administration of the government, that no one could reasonably object to it, or be particularly anxious for a change. The only thing complained of, was the suppression of the whiskey trade among the Indians and soldiers; but this was done by authority of an act of Congress, and the articles of war, and was not only justified, but demanded by the laws of humanity.

Yet, in some instances, the officers of the army have exceeded the bounds of propriety and the rights of citizenship, and that too where the civil authority was within reach. A citizen of this place was once whipped by the soldiers by order of Col. J——s; another was sent to St. Louis under guard, without any charge being preferred against him, and left to find his way back to his family as best he could, and upon his return, he found them ejected from his house by the soldiers.

Mr. Burnett informed Gen. Clark of the transaction of Col. Morgan, May 28th, 1831: "In my letter of the 18th inst., I informed you that Col. Morgan had sent for the Sauks and Foxes to visit this post. On the 21st instant, about fifteen men of the Foxes of Dubuque mines arrived at the village, and on the next