

concerned in any way, in the defence of any other prosecutions of the kind before any tribunal in this county, except a single case before a Justice of the Peace, near a year afterwards.

"There was nothing in any of these indictments, or in the proof upon the trials, which rendered my appearance in the cases incompatible with my duties as an agent of the government.— They were charges of simple offences against the laws of the Territory, without the remotest connection with the laws of the United States, or any order or usage of the Department, to which I am attached. It is true, that Capt. Mason attended the court daily, for the purpose of prosecuting the poor and ignorant inhabitants of the place, with a *host* (as he would probably say) of soldiers attending his call as witnesses, aided by the vigilance and faithful attention of the Prosecuting Attorney; and that in most, if not all, of the cases, it came out in proof upon the trial, that some soldier had participated in the act for which the defendant was prosecuted. But I know of no law, I understand no duty, which will require me to keep silence in a court of justice, because Capt. Mason or any other officer of the army may think proper to come forward and charge a citizen with an offense against the laws of the country, wholly disconnected with my official station.

"The first intimation that I received, that the slightest exceptions were taken to my conduct in this matter, was on the evening of the third day of the court, after adjournment, when Capt. Mason showed me his communication to Col. Morgan of that date, Nov. 3rd, 1830, which he did, as he said, to satisfy me that he had no personal feeling. I thought it strange that any one, who comprehended my duties, should entertain the views of the subject which he expressed, and requested him to furnish me with a copy of his communication, which he promised to do on the next day. At the meeting of the court on the next day, I called on him for the promised copy, and he promised it that day. That was the last I heard from him on the subject for several weeks. I left for Fort Winnebago on the 17th, under the impression that the