

ence to the statutes then in force will prove. Capt. Mason was himself the *individual* and only prosecutor in the cases in question; no *other officers of the army at this post* were known to me in that attitude, nor do the records of the court show it. The whole of my practice, which he considers a breach of my public duty, took place in the *Crawford* county court, and at *one term only* of the court, and not before the *civil courts of the country*; and the *various persons* whom I had defended at that time, consisted of *two individuals* only, Griffin and La Pointe, and to one of them, La Pointe, the court assigned me as counsel. The indictment against Griffin, charged him as an inn-keeper, with selling different liquors on Sunday, to divers persons, whose names were unknown to the grand jury, the selling on that particular day being made an offense in a tavern-keeper by the laws of the Territory. The indictment against La Pointe was for selling spirituous liquors without a license; and that against Dowling was for "keeping a disorderly house." In neither indictment was a word said about "selling to soldiers." Dowling's case came on the day after the charge was made out, the 4th, so that Griffin and La Pointe were the only ones whom I had defended at the date of the complaint. Capt. Mason makes a further general charge of defeating the expectations of the Government, in conferring upon me the small office which I hold, and with aiding the whiskey-sellers, &c.

"How far I may have fulfilled, in the discharge of my public duties, all reasonable expectations of the Government or citizens, I shall not pretend to say. I leave that for you to decide, because all my official acts, both before and since these charges, have been made under your own observation, and I am perfectly satisfied, that you would not have sanctioned, or tolerated in me a course, that could be construed into a dereliction of duty. As to the charge of aiding the whiskey-sellers, a criminal law advocate who had defended one on his trial for murder, could with as much justice, truth and propriety, be charged with being the aider of the murder. It was evident in all these cases, that they did not