

to perceive in the communication which you have addressed to me.

"The information given in your letter, that it is the duty of the officers of the army, and that it is a duty in which the other officers of the Government must co-operate, to become informers and prosecutors under the municipal code of a State or Territory, is the first that I have ever received of the existence and concurrence of such a duty. The principle may be one that has heretofore been practiced upon, but I have looked in vain for a precedent. It is possible, that the circumscribed sphere of my public acts, and my limited knowledge of the practical operations of Government, have kept me in ignorance of a rule of official duty, so important in its application to the conduct of public officers.— It had been my opinion, previous to the receipt of your letter, that the civil departments of the Government, either general or local, were provided with sufficient and competent officers to administer the laws of the country, and that in that administration, the only legitimate duty resting upon the military department was, to aid the civil authorities when they should be found too weak to execute them. If in forming this opinion, I had been led into error, I trust that it will be perceived, that it is an error into which any one, with the lights before him, that I have received, would most likely have fallen; especially when it is borne in mind, that a different principle of duty is essentially variant from all obvious purposes, for the organization of either the Army or Indian Department, or any published regulations for the government of either. If the converse of the opinion which I had formed upon this subject, be correct, I would suggest the extremely unpleasant situation in which I should be placed, should it be required of me, as an act of duty, to co-operate with an officer of the Army in the prosecution of any citizen, for an alleged petty offense against the municipal laws of the Territory, in a case where it should be known, that the prosecution originated in malice or ignorance, passion or prejudice. The officers of the army are men, and being men, they are subject as others, to the influence of the