

live and, in general, prevailing forces of society, and to which the present and past condition of the country gives more than ordinary strength, and therefore requires the Government to particularly observe and provide against. In this connection I advise that you and each of your deputies have the right to summon to your assistance in preventing and quelling disorder, every person in your district above fifteen years of age, whatever may be their reputation, whether civilians or not, and including the military of all denominations, militia, soldiers and marines, all of whom are alike bound to obey you. The fact that they are organized as military bodies, whether of the State or the United States, under the immediate command of their own officers, does not in anywise affect their legal character; they are still liable to serve as a *posse comitatus*. I prefer to quote the above statement of the law on the point from an opinion by my predecessor, ex-Attorney-General Cushing, because it appears to have been well settled for many years. [See Opinions, 466, May 27, 1854.]

I need hardly say that there can be no State law or State official in this country who has jurisdiction to oppose you in discharging your official duties under the laws of the United States. If such interference shall take place—a thing not anticipated—you are to disregard it. The laws of the United States are supreme, and so, consequently, any action of the officials of the United States in enforcing them is as virtually you have already been told. There is no officer of the State whom you may not by summons embody into your own posse, and any State posse already embodied by specific summons of the Sheriff will, with such Sheriff, be obliged, upon your summons, to become part of the United States posse, and obey you or your deputy acting by virtue of your office.

The responsibility which devolves upon an officer clothed with such powers and required to guard the highest right of citizens corresponds in a degree with those powers and rights, and exacts of such officers consideration, intelligence and courage. It is proper to advise you that in preparing this circular I have considered the recent important judgment given by the Supreme Court on the acts of Congress which regulate this general topic. I have founded the above instructions upon those Acts which are affected by such judgments. I need, in this place, add no more than that these judgments do not concern Federal elections. You will find appended in full, or by reference, such statutory provisions as it seems important that you and your deputies shall, in this connection, read and consider. In matters of doubt you are of course entitled to the advice of the United States Attorney for your district. These instructions have been submitted to the President and have his approval.

ALFONSO TAFT,  
Attorney-General.

—San Francisco Chronicle.

#### The Canadian Indians.

A report that Sitting Bull has in vain attempted to interest the Indians of British America in the war which he is now waging is going the rounds of the press, and in many quarters is meeting with implicit belief. It is quite natural that the Sioux should desire as many allies as possible, and, considering their nearness to the Blackfeet of Manitoba, it is very probable that the Sioux leaders have attempted to draw these into an entangling alliance. Further color of truth is given to the narrative by the facts that the Blackfeet have applied to the Canadian Government to know if they would be protected by English soldiers against the Sioux, should the latter attempt to take vengeance on them for their refusal, and that the authorities have guaranteed them the fullest possible security.

Whether the report be true or false matters little; its animus serves to show the difference in the feeling entertained towards the whites by the Indians of the two countries. Nothing is plainer than that our Indians are always ready to go upon the war path, while the Canadian Indians can not be bullied into a fight. They were originally of the same neighboring tribes, their dispositions were the same, and their feelings toward the

whites were identical. The causes which have made our Indians the idle, treacherous, bloodthirsty brutes they are, while the nations under the control of Canada are tractable, industrious, and semi-civilized, must be looked for in the difference of the Indian policies of the two countries. It is no news to the people of the United States to say that our Indians have been occupying an anomalous position. They have been treated as inferiors, as equals, and, sometimes, as superiors; as wards of the country, and as independent nations; as men having not the slightest moral responsibility, and as men having the very highest degree of self-command; at times within the pale of the law, and at others exempt from all restrictions.

The English policy, on the contrary, has been uniform. The Indians who have come under the control of the Canadian Government have always been treated as subjects, to be legislated for, cared for, and partially provided for. There was the same measure of justice for Indians as for whites, and the savages soon learned that to violate law was to invite certain punishment. Meanwhile whiskey was kept from them, and the white man who was caught selling liquor of any kind to Indians received one of the severest punishments known to Canadian law. The use of fire-arms was allowed them to a limited extent, but they were never given any occasion or pretext to employ them against the whites, and so would much sooner have gone to war with each other than with those who provided them with seed and agricultural implements, with clothing, and with the best of school instruction and police guardianship.

The consequences of these contrary policies have been that, while the United States have spent thousands of lives and millions of treasure in the attempt to settle the Indian problem, in Canada the Indian question has settled itself. There has never been an Indian war in British America, and it is not likely there will ever be one. The Indians are treated with strict justice, and as human beings having rights and feelings of their own, which others are bound to respect. So the Canadian Indians have the best possible reasons for not wishing to cast their lots with Sitting Bull and his braves. They are well off as they are; are contented, many of them are making money, some are already rich. Their treaties with the whites have ever been sacredly respected on both sides. For them to go to war, however numerous their chances, would be a suicidal act, and they have good sense enough to perceive it. Their condition, when compared with that of our own tribes, is so entirely different as to cause the most serious reflections in regard to our past course towards the Indians, and to ask whether there might not yet be time for a radical change in our method of dealing with the Indian problem. —St. Louis Globe-Democrat.

A NEW ZEALANDER'S IDEA OF PACKARAPU.—The following idea, entertained by a Maori on the matter of bankruptcy, is too good not to be handed down to posterity. A certain chief, a man of intelligence, and punctual in monetary matters with his "pakeha" (white) neighbors, was lately a sufferer to the extent of £30 or £40 by a man going through the court. In relating the affair to some natives whom he was visiting, he told them he had lost his money by a man becoming "packarapu." The word rather staggered the aborigines, who immediately demanded an explanation, which was given as follows:

A pakeha who wants to become a "packarapu" goes into business and gets lots of goods and does not pay for them. He then gets all the money he can together, say £2,000, and puts it away where no one can get it, all except £5. With this he goes to the Judge of the Supreme Court and tells him that he wants to become "packarapu." The judge says he is very sorry, but of course it cannot be helped, and he then calls all the lawyers together, likewise all the men to whom the "packarapu" owes money, and he says, "This man is packarapu, but he wishes to give you all he has got, and so he has asked me to divide this (the £5) among you all." The judge thereupon gives £4 to the lawyers and £1 to the other men, and the "packarapu" goes home.

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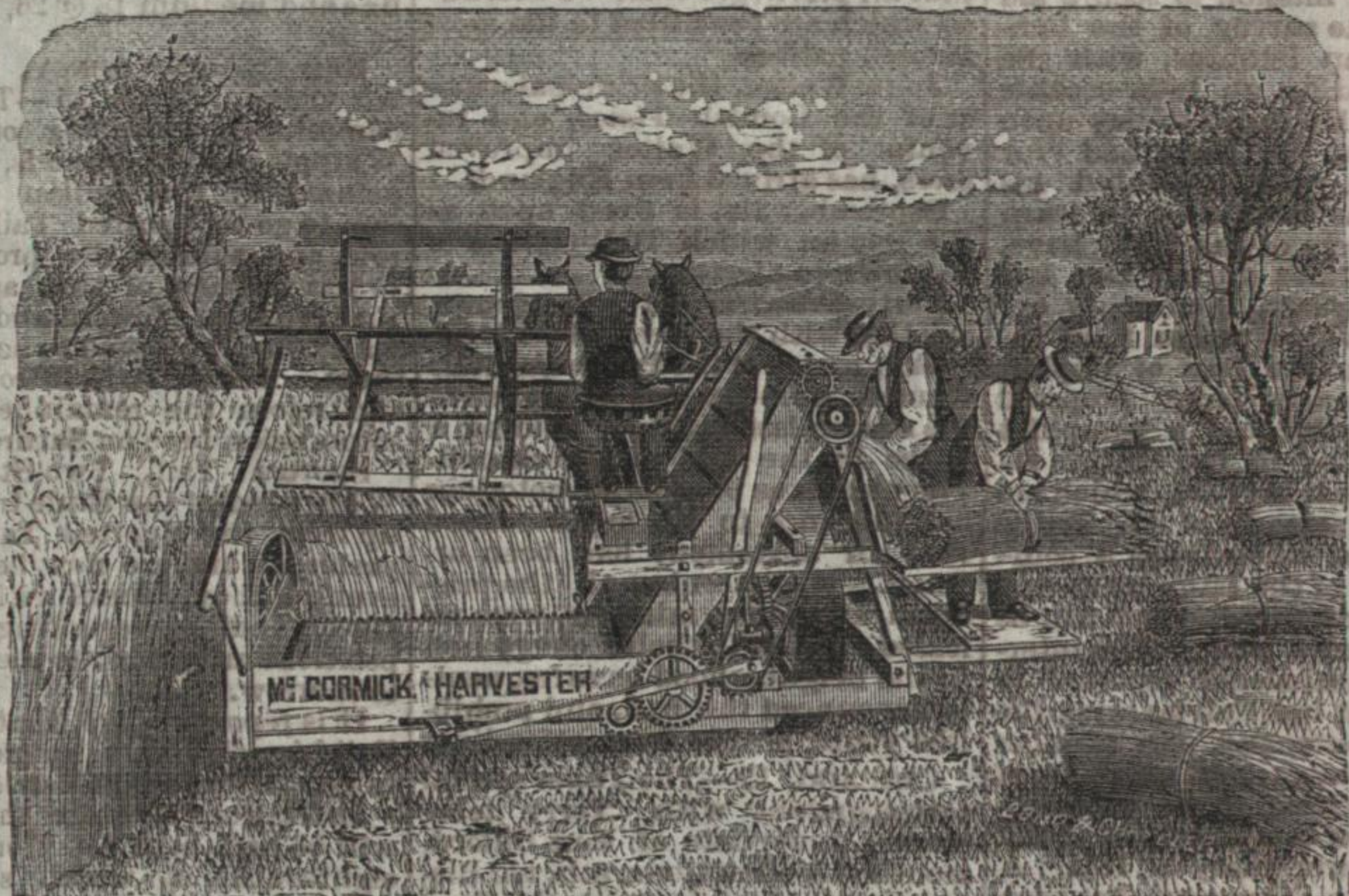
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