Monday. . . Jan. 25, 1975.

The Banditti Dispatch.

I proceed now to refer to the action of General Sheridan. And here, again, I am concerned to speak of him as that action justispeak of him as that action justifies. Within a day or two after
his arrival at New Orleans and assuming command, he issued orders
justifying the interference of the
soldiers the Monday before. He
had met with no resistance. No
evidence was given of any purpose
to resist him, for, in fact, there was
none. On Tuesday, however, the
5th of January, he sent to the Secretary of War the well known "banditti" dispatch. The receipt of that
dispatch, I am grieved to say, was acdispatch, I am grieved to say, was acknowledged by the Secretary of War on the next day, the 6th, in the following manner:-

"WAR DEPARTMENT, "Washington, Jan. 6, 1875. "General P. H. Sheridan, New Orleans: -

"The President and all of us have full confidence in and thoroughly approve your course.

> "WILLIAM W. BELKNAP, Secretary of War."

Since civilization favorably progressed under the influence of our Christian faith no words ever fell from the lips of any man, civilian or soldier, which more outrage every obligation of humanity or exhibit a more flendish thirst for human blood. Not satisfied with denouncing the people of three States, he suggests as you have seen, that if the President will issue a proclamation, declaring the parties he refers to "banditti," no further action need be taken, except that which would devolve upon him!" How he proposes to act, we gather from his dispatch. To arrest and try the ringleaders of what he calls the armed White Leagues. To try them by a military commission. Execution, then, would instantly follow sentence, and the cities and villages of three States would be the scenes of a carnage, the horrors of which no imagination can adequately depict. In this recommendation he totally disregards all the dation he totally disregards all the guarantees of personal liberty contained in the constitution. Those guarantees are to be found in the amendments which were coeval with the constitution itself, and it is historically certain that, without an assurance that they would be provided, the constitution would not have been ratified. ratified. Among them—not to mention them all—are, first, the security of the people against seiz ure of their persons; second, "that no person shall be held to answer for a cap tal or otherwise infamous naval service of the United States; third, that every party charged with a crime is secured a trial "by

could then authorize the arrest of a citizen, have him tried by a military commission appointed by himself, and, if convicted, punish him with death by his own orders.

That military commissions are wholly unconstitutional in time of peace was never doubted. Nor was it doubted that they are subversive of the guarantees to which I have referred. During the late war, however, it was supposed by military chiefs and by the President that they could be legally used for the trial of a citizen residing in a State which had never ing in a State which had never been in rebellion. Under this impression such a commission was organized by the general in com-mand in Indiana for the trial of one Laman P. Milligan, of that State, upon charges exhibited by him. That commission on the 21st of October, 1864, found him guilty and sentenced him to be hanged, which sentence was approved by the President. Before, however, the sentence could be carried into the President. Before, however, the sentence could be carried into effect, an application for a habeas corpus was made to the United States Circuit Court for Indiana, and the Judges differing in opinion upon certain points of law, certified the same to the Supreme Court of the U. B. One of the points was whether the military commission had jurisdiction. The case was argued at the December term, 1866, and the decision of the court, which may be found in 4th Wallace, was that the whose proceeding was illegal, and Milligan was discharged. In the decision given by Mr. Justice Davis the principles of liberty are strongly and clearly stated and vindicated. If these were niceties, then the whole constitution is but a legal nicety, which the President and his military and maval officers may be said to be ignorant of! With the people of the United States such a degrading excuse will be of no avail. But, on the contrary, they will hold the President and his general to a strict responsibility for trampling upon the very principles upon which our free institutions are founded.

If the suggestion of General Sheridan that the persons to whom

are founded.

If the suggestien of General Sheridan, that the persons to whom he refers should be declared "banditit" by a proclamation of the President should be adopted by the latter, and its execution left to Sheridan, he would soon achieve for himself an immortality of infamy, and be without a rival in the history of the world, unless one is to be found in the career of the Duke of Aiva in his invasion of the Netherlands, where, as historians tell us, he executed more men in cold blood upon the scaffeld than he killed in war, and who, at the termination of his camapaigu, himself, boasted that he had executed 18,000. It is due, however, to a conviction which I cannot help feeling, to add that the President, although he is made to approve of the suggestion by the Secretary's dispatch of the 6th of January, will never be induced to carry it out, and from my knowledge of the characters of the Secretaries of State and Treasury, I am satisfied State and Treasury, I am satisfied that they never gave it their sanc-tion, and, indeed, it is said they never saw it until it was published papers of the day.—Hon

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of H. R. MANN & CO., Insurance Agents, having been disc ved, I will continue the same business at the old stand, one door north of Walker Bros., on HUCH ANDERSON, INSURANCE AGENT

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indictment of a grand jury," ex-cept persons in the military or we are manufacturing the celebrated

with a crime is secured a trial "by an impartial jury of the State and district wherein the crime shall have been committed," and this trial sy jury was also previded by the original constitution. It is obvious that all these guarantees would be violated if Sheridan's suggestion was acted upon. He alone could then authorize the arrest of a citizen, have him tried by a mili.

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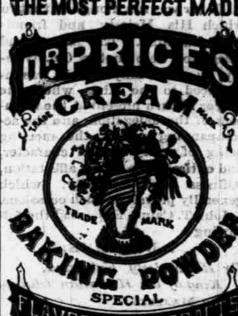
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