

criminals, he lays himself liable to the Consler presentment of the scoundrels whom he arrests, it is a bad precedent to establish for the future use of lawyers, who counsel the prosecution of cases however frivolous, and who only look to the pecuniary advantages arising therefrom. Besides the unnecessary inconvenience and expense attending these Civil proceedings, the present is in other respects decidedly prejudicial to the interests of the service, almost every Officer at the Post is necessarily a witness for the defence, And the Post, if the requirements of law be carried out, will be depleted of its Officers to an injurious extent, was there truth in the charges, and were they preferred by unprejudiced responsible parties, and in all good faith, this injury to the interests, of the service might with propriety be tolerated, but simply to gratify the malice and revenge of unprincipled men, who have themselves been tried and convicted of violation of law, and whose malice is the result of their trial and conviction, it seems particularly unnecessary and if tolerated can only establish a rule for future use, and subject the Post to a similar depletion on the presentment of any horse thief or disappointed Govt Employee who chooses to enter a Complaint however untrue and frivolous. We claim no immunity from the consequences attending a violation of law, but it would seem proper that here should be at least plausible grounds for the presumption that law has been violated, the very nature of the complaint should of itself have been sufficient to have destroyed the credibility of the witnesses, and the well known irresponsible character of the witnesses themselves together with the fact that they had just been tried and convicted for the same offence at the intigation of the accused, should have shown to the grand Jury the motive which prompted the complaint which was simply revenge.

168

I would respectfully ask the Hon. Secretary of War to lay this statement before the proper Dept, so that if thought proper the proceedings against the Officers named may be stayed. The cases were taken up last June and continued to the October term of the U. S. Dist. Court at Topeka Kansas.

(Signed)

Thro.

Dist, Dept, & Div. Wd grs.

I Am very Respectfully

Your Obt. Servant

W. Douglas

Major 3rd Infantry

Commanding Post

168

Head Qrs Fort Dodge Kas
August 2nd, 1868

Bvt. Major E. A. Belgen
A. A. Alpen Dist. Upper Ark.

Major

I have the honor to transmit herewith Grain Report pertaining to this Post for the month of July 1868.

I am very Respectfully

Your Obt. Servant

W. Douglas

Major 3rd Infantry

Commnd. Post