

general, indeed, is the opinion that every officer is entitled to be tried by his peers, that greater disgrace is apt to attach itself to an arbitrary dismissal, by an exercise of executive power, than to a sentence of a court itself, since the first ought only to proceed from conduct so flagrantly wrong, as to supersede even the necessity of trial. There was another motive that ought to have weighed with the government, before it resorted to the use of so high a power. The gentlemen who composed the Court of Inquiry on Com. Morris, were his juniors in rank, and one was his inferior. Although the characters of these officers were above suspicion, as to motives, the accused, on general principles, had a perfect right to the benefit of the exception, and was entitled to demand all the forms of the service, before he was finally condemned.

It has, more or less, been a leading defect of the civil administration of the military affairs of the American government, that too little of professional feeling has presided in its councils, the men who are elevated to political power, in popular governments, seldom entering fully into the tone and motives of those who are alive to the sensibilities of military pride. One of the consequences of this influence of those who have merely the habits of civilians, on the fortunes of men so differently educated, is to be traced in the manner in which the executive authority just alluded to has been too often wielded; presenting on one side *ex parte* decisions that have