

and, to the Militia Law of this State, - then
opposition to them, or, to put the case more
strongly, Disobedience of them, is no offence,
according to the letter or the Spirit of the Law. -
The Prisoner claims some acquaintance with the
practical part of Military Law. His situation
at different periods has afforded him opportu-
nities of acquiring some knowledge of military
arrangements, and usages. - all his ideas, on these
subjects, he confesses, are at variance with
those doctrines, under which the Orders of the
General were issued: - and the surprize, with
which he first learned their nature, and
direction, has only yielded to a deliberate
opinion, of their total irregularity. - An Army
is an admirable connected system upon the propor-
tion of the parts of which, and the symmetry of the
whole chiefly depends its discipline and glory. -
In its arrangement and organization, no link is
wanting in the great chain of relative rights and
duties. Command, flowing from the chief, regularly
diffuses itself by means of perfectly well
settled channels, till it pervades every part of
the Army, and reaches the lowest subaltern. -
Any deviation, from the established course, must
be, and very frequently has been, very detri-
mental to the public service, and whenever it
has occurred, has been opposed and reprobated
as a private, as well as public injury. The
opposition of the Individual officer, who
has

has been overlooked, or neglected, becomes an incumbent duty, from a regard to his own honor, and the good of the army. The Division of Brigades, into Regiments, of those Regiments into Battalions, and those Battalions into Companies, will serve to exemplify, the ideas of the Prisoner. Of the Companies the Captains have the charge to them are responsible their respective Subalterns, and to them alone the Subalterns look for orders, - the Captains look to their respective majors, those again to their Colonels, and the Colonels to the Brigadiers, - Here is an intelligible, well organized system, vary but a single relation of it, and all order is at an end. Let the Brigadier, issue his orders to the majors, - Let the majors detail the subalterns. - The Colonel will be ignorant of the orders, may, he will be injured by the direction of them, the Captain will have equal cause of complaint; - all becomes one scene of jarring, of collision and confusion. All intermediate grades in the army are lost, and a Lieutenant General may become the immediate superior of a Corporal! -

The Provisions of the Militia Law of the State of Delaware, do not impugn, any of the principles, hereinbefore stated. - Tho, in many places, the phraseology be somewhat obscure, the meaning may be developed, by a comparison thereof, with well ascertained military usages. Our Law, does not contemplate, the organization of the Artillery into Regiments, but, under certain circumstances, allows them to be formed into Battalions, and so formed, gives them a major. These Battalions being the largest masses, into which either Cavalry, or Artillery can be formed, are in this shape equivalent to; and to be considered in the same light as, Regiments, and are attached to Brigades. - The Major of the Artillery, is to the Brigadier General, in the combined relation of Colonel and Major, being the only Officer between the Brigadier General, and the Captains of his Battalion and of course he is the channel, thro' which flow, all orders to the Captains of his Battalion, in the same manner, that the Colonel and Major are the channels, thro' which, similar orders flow, to the Captains of their Regiments. If then it be the duty, and the Practice, of the Brigadier General, (and that it is both his duty and practice, the Prisoner appeals, to show, to military usage and unvarying experience) to issue all orders for the Companies composing Regiments, thro' the Colonels of the respective Regiments, it inevitably and necessarily follows,