

WASHINGTON CITY, Wednesday, April 22d. 1840.

SIR:

I would again have done myself the honor of calling upon your Excellency, but from the reluctance I feel to intrude upon your valuable time, and having nothing definite to communicate to your Excellency in regard to the object of my journey hither, I did not do so. The committee on Claims, in the Senate, were, I understood, to have reported yesterday, but this morning I am told the committee have applied to Mr. Poinsett for a copy of the instructions under which Capt. Woolsey seized the Lord Nelson, and also for some information relative to the Treaty of Ghent. What these have to do with my case I confess I do not understand; for if an officer to whom the public force of a country is entrusted, misapplies that force, the Government is liable for his acts, and has the power to punish him for them: but individuals who may be affected can only look to them as an act of the Government.

I submit this information in the hope that, as it is now officially before the Executive Government of this country, your Excellency may deem it a fit time to interfere, and I trust with effect, as I have always believed that the Government of the United States was at all times ready to do the owners of the Lord Nelson justice, did the Legislature second their views.

I have the honor to be &amp;c. &amp;c.

J. CROOKS.

His Excellency HENRY S. FOX, Her Majesty's Minister Washington.

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### IN SENATE OF THE UNITED STATES.

April 28, 1840, Submitted, and ordered to be printed.

MR. HUBBARD made the following Report:

*The Committee of Claims, to whom was referred the memorial of William and James Crooks, claiming indemnity for loss sustained by the capture of their vessel, during the late war, report:*

"That, on the 5th of June, 1812, the petitioners were, and now are, subjects of the King of Great Britain; and, on said 5th day of June, were the owners of a vessel on Lake Ontario, called the Lord Nelson; and, on the day last aforesaid, that Lieutenant Woolsey, an officer of the navy of the United States, then commanding on Lake Ontario, seized and captured said vessel, called the Lord Nelson, for a pretended violation of the laws of the United States; and thereafter said vessel was libelled in the district of the circuit court of the United States, in New York, at the August term, 1812. An interlocutory decree was made by the court, directing the sale of the vessel and cargo, and that the avails of the sale be brought into court to abide the event of the suit.

"The vessel was purchased by Lieutenant Woolsey, on behalf of the United States, and was taken into the public service, and armed, and was used against the British during the war.

"By the return of the marshal, the vessel was sold for \$2,939 25, and the cargo at \$1,972 10.

"The libel was not brought to trial until after the district of New York was divided and formed two districts, called the northern and southern districts.

"Complaints were made by the petitioners, then the claimants, under said libel, to the President of the United States, by the delay in bringing said cause to trial.

"The suit was transferred from the city of New York, to the northern district.