

when the account of the  
 exactly stated in Mr. Ste-  
 subject of the "Caro-  
 the undersigned," with  
 as incidentally alluded  
 Stevenson's note of the  
 between the two Govern-

se of the "Caroline,"  
 between Mr. Steven-  
 in September, 1839,  
 in her majesty's Gov-  
 made in May, 1838,  
 answer; and if so, with  
 that Mr. Forsyth, in  
 tions on that matter  
 with Mr. Fox, the  
 's Government with-

overnment; and yet,  
 place on the 12th  
 affair of the "Caro-  
 Government, in any

y the following con-

at even before Mr.  
 ted, Mr. Stevenson  
 e of the opinion of  
 "Caroline" had been  
 ted that the under-  
 avey the opinion of  
 the United States;  
 his having deemed  
 stance and result of

ch as they did not  
 Stevenson was in-  
 and they were con-  
 en the minister of  
 w to a preliminary  
 formal discussion  
 prepare the way for

strong opinion ex-  
 time, have been  
 majesty's Govern-  
 ved any such in-  
 uthority to speak  
 and acts are not  
 nt, by its silence,  
 ons expressed by

Mr. Fox, in January, 1838, upon the subject of the destruction of the "Caroline," were not disavowed by her majesty's Government, and have never been disavowed by them to this day.

Now the undersigned does not of course mean to say, that the opinions so expressed by Mr. Fox, and by himself, were final and conclusive decisions of her majesty's Government in the case, although that given in writing by Mr. Fox was as strong and unequivocal as words could well convey; and it is obvious that those opinions, having been expressed before the date of Mr. Stevenson's note, of May, 1838, could not at any rate have been decisions upon the demand made in that note. And as those opinions had been founded upon the information which her majesty's colonial authorities had then transmitted to Mr. Fox, and to her majesty's Government, it was possible that counter-statements, forwarded upon information collected by the United States Government, might satisfy her majesty's Government that their first view of the case, and their first opinion regarding it, however strong that opinion might have been, were erroneous. The undersigned therefore does not mean to say, and never has contended, that either his conversations with Mr. Stevenson, or Mr. Fox's note to Mr. Forsyth, ought to have precluded the demand which was afterward made by Mr. Stevenson's note of 1838.

But the undersigned contends that that demand was made with a previous knowledge, on the part of the United States Government, of the views and opinions of her majesty's Government, as to the transactions to which the demand related.

The undersigned has further to remark, that the words of Mr. Stevenson's note of May, 1838, distinctly prove that the Government of the United States did not entertain any doubt whatever whether the capture and destruction of the "Caroline" had been the unauthorized act of individuals, for which such individuals were to be made responsible in their private capacity, or whether it had been a public act, done by persons in the service of the British Government, and obeying superior authority, and for which, consequently, the British Government was to be responsible, because the specific complaint of Mr. Stevenson was, that the act was committed "by a portion of the British forces stationed at Chippewa;" and that "it was planned and executed with the knowledge and approbation of the lieutenant governor of Upper Canada," and that it was "the invasion of the territory and sovereignty of an independent nation, by the armed forces of a friendly power;" and the specific demand which Mr. Stevenson made was, "that the whole proceeding should be disavowed and disapproved, and that such redress as the nature of the case obviously required should be promptly made," by the British Government.

The undersigned therefore maintains, that the very contents of Mr. Stevenson's note of 1838 preclude the United States Government from attempting to make Mr. McLeod, or any other British subject, personally answerable for any share they may be supposed to have had in the destruction of the "Caroline;" and that Mr. Forsyth was mistaken in saying, as he did in his note to Mr. Fox, of the 26th of December, 1840, that up to that time the United States Government had had no authentic announcement that the destruction of the "Caroline" was a public act, of persons in her majesty's service, obeying the order of superior authorities; for Mr. Forsyth would have found that authentic announcement in the note of his own plenipotentiary, presented in pursuance of instructions from himself, so long ago as May, 1838. But while on the one hand the undersigned contends that the