

ers, when his Lordship declined any further interference, as will be seen by their letter addressed to Mr. Galt by Mr. Backhouse, his Lordship's Secretary, which is not in my possession at present, but which I will procure and transmit to your Excellency before I leave this city.

I have good reason for believing that his Lordship was, at the time, not aware of the circumstances under which the "Lydia" was captured and that his refusal to entertain the subject proceeded solely from the abstract principle of indemnity for the misconduct of the officers of either Government being insisted upon by that of the U. States; and I am the more inclined to this opinion as in point of fact, so far as we know the case of the "Lydia" had never been submitted for his Lordship's consideration. I confess that I was myself entirely ignorant upon the subject till I saw the extract from Mr. Rush's despatch of 29th Sep. 1819, and it was not till Mr. Hall's success in 1833 or 1834, that we were encouraged to renew our application for indemnity, as his case was an obvious departure by Congress from the principle before insisted upon, and which seems now to be the great difficulty in procuring that justice which has been so long withheld, and which is so justly our due.

I beg to trouble your Excellency with a statement of the facts connected with the seizure of our vessel; in which I will be happy to make any alterations therein or additions thereto that you may suggest. The documents connected with this case cannot be obtained till it is disposed of by the Senate: It was called up yesterday morning and the report of its committee of claims adopted, but upon motion of the Hon'ble Mr. Clay it was, I understand, laid on the table for reconsideration.

Should Your Excellency have received Mr. Forsyth's answer to your last letter addressed to him, I will feel extremely obliged by your communicating it to me, and will have great pleasure in waiting upon Your Excellency at any time that will be convenient to you.

I have the honor to be, &c. &c.

J. CROOKS.

The Hon'ble H. S. FOX.

WASHINGTON, May 14, 1840.

SIR :

Since I had the honor of addressing your Excellency on Tuesday last (12th instant,) the two reports enclosed, the one being on the case of Mr. Hall, dated 24th April, 1832, and the other that of the Lord Nelson, dated 14th December, 1837, have come into my possession, and although they were among the papers submitted to you by my agent, Mr. Clarke, which are now before the Senate, yet as reference to them at this time may be useful, I beg leave to hand them to you.

It appears to me that they fully establish the position, that Congress in indemnifying Mr. Hall, (whose case was by no means so strong as ours is,) departed from the principle, before and now insisted upon by the Executive Gov't. of the United States, and that when the two last paragraphs of the report are duly considered they cannot fail to have great weight in bringing this affair to a speedy and favorable issue.

I beg leave also to enclose the copy of a letter addressed by me to Mr. Hubbard, Chairman of the Committee of Claims of the Senate, soon after my arrival at this place, claiming to be allowed our expenses, to which he made no reply—also a copy of the Bill passed by the House of Representatives in 1837 for our relief, but which was rejected in the Senate by a very small vote.

I have honor to be, &c., &c.,

J. CROOKS.

His Excellency the Hon. H. S. FOX.