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 John Crosby.  
 R. & J. Curell.

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*The Courier, New Orleans, Tuesday evening, December 29, 1835.*

NEW ORLEANS, *December 28, 1835.*

GENTLEMEN: This acknowledges the receipt of your communication of the 26th instant, in which you state that you are informed the schooner Brutus is now fitting out, and armed with cannon, for the purpose of capturing Mexican vessels, and request that immediate measures may be taken to prevent her departure from this port.

I regret, gentlemen, that you had not at the same time furnished me with proper affidavits, or the names of witnesses, who could set out specifically the facts upon which judicial proceedings might be based.

Mr. Curell, who delivered your letter, informed me that efforts were then making to procure such affidavits, and that the result would be made known to me. In the mean while I have had an interview with the collector, who will promptly act, as far as he is warranted, upon the information imparted to him.

The law wisely and justly forbids any outfit of vessels in our ports, with intent to commit hostilities upon any people at peace with the United States; and though my duty requires that I should prosecute for violations of that law, yet it does not require me to institute proceedings upon the testimony of mere common report. Notwithstanding it is currently said that such armaments have been fitted out at New Orleans, and soldiers enlisted, with intent to commit hostilities upon the Mexicans, nevertheless no person can be found in this entire population to make an affidavit of the facts, or indicate a single witness who can establish them. Allow me, therefore, gentlemen, to state distinctly to yourselves, and all those who may conceive that the officers of the Government are remiss in their duty, that these are the only legitimate grounds upon which prosecution can be instituted and maintained, and to assure you that, whenever they are furnished to me, my efforts shall not be wanting to enforce the penalties of the law.

I have the honor to be, gentlemen,

Very respectfully, your obedient servant,

HENRY CARLETON.

To Messrs. CUCULLA, LAPEYRE & Co., CHALARON, S. T. HOBSON & Co., and others.