

Letter from O A  
Hagerman, Esq, &c

tion to be filed by the Crown Officer.—This of course was promptly complied with on my part, the vessel was valued at £255 cur'cy—the flour at £364 currency, both items being reduced as low as it was possible to bring them with any regard to reason & truth. The master of the vessel was a stranger, and declared himself unable to give any security beyond his own Bond. I have never to my recollection seen him since, for the flour I took the bond of William Mitchell, Esq., at that time a wealthy and respectable Merchant in Kingston, but who afterwards died, and as I am told in embarrassed circumstances. This bond (now of no use) is in my possession.

These proceedings having occurred the information was filed and a trial took place, when the jury owing to some defect in the proceedings, or from misapprehension of the facts, returned a verdict for the claimant. This verdict however, was so manifestly contrary to law, and if acquiesced in would have been attended with such evil consequences, that the Attorney General felt himself bound to move for a new trial, upon which occasion the law and every fact relating to the seizure was brought before the court of King's Bench, and fully argued; the judgment of the court was afterwards solemnly pronounced, establishing the validity of the seizure, and its liability to condemnation, and as a consequence, setting aside the verdict of the jury, and ordering a new trial. These proceedings are on record in the court of King's Bench, and of course can at any time be referred to.

Immediately, or very soon after this decision, the owner of the flour (as I have been informed) solicited the Government to stay the prosecution, and preferred a memorial to that effect, which was transmitted to England for the consideration of the Home Government. No official, and indeed I may say no direct communication of the steps at any time taken, was ever made to me. I was not asked to consent to any discharge of or delay in the prosecution; nor was I in any manner consulted, or advised with on the subject, notwithstanding the large personal interest I had in the result. If therefore delay has occurred in deciding on the claimants petition, it cannot be traced to any fault of mine, in truth with respect to it, I have no particular interest, the Government had distinctly disavowed any design to interfere with my rights, and had proceeded in the implied recommendation of the Executive Council, that the master of the vessel