

REPORT

Of the Committee on Foreign Affairs on the Petition of the Administratrix of A. Vail.

JANUARY 10, 1825.

Read: ordered that it lie upon the table.

On the petition of the Administratrix of Aaron Vail, the Committee of Foreign Relations

REPORT:

That the petitioner states that she was entitled to a portion of the fund set apart by the treaty between the United States and Spain, of the 22d of February, 1819, for the payment of the claims of the citizens of the United States against Spain; that the Commissioners appointed under the treaty to decide upon those claims, distributed the whole fund without making any allowance for her claim, for want of sundry documents in the possession of the Spanish Government; that Spain was bound to furnish those documents by the obligations of her treaty; that application, in the manner prescribed by the treaty, was made to Spain in September, 1822, but that the documents were not delivered to the Representative of the United States near the court of Spain, until July last, and did not arrive in Washington until October; that the time within which the commissioners were compelled to distribute the fund among the different claimants had expired before the documents were delivered to the Representative of the United States in Madrid. The committee have had sufficient evidence before them to satisfy them that the petitioner has been deprived of the opportunity of obtaining a fair decision on her claim by the commissioners, in consequence of the failure of the Spanish Government to fulfil the provisions made by her in the treaty aforesaid. The case is, therefore, one of great hardship; but the committee do not perceive that the petitioner has any claim upon the Government of the United States.

If the documents withheld from the petitioner would have established her claim to a portion of the Florida fund, redress ought to be afforded by Spain.

The committee ask to be discharged from the further consideration of the petition and documents, and that the petitioner have leave to withdraw them.

