

In Council November 25. 1826

Gentlemen

The attempt by the late Executive to introduce into Negotiation the States Claim to Stock in the Bank of England was grounded upon Information given to the Agent by Mr. Murdoch and the Messrs Lyons that both Lord Thurlow and Lord Loughborough had intimated strong Doubts of the Jurisdiction of the Court of Chancery in a Case to which a sovereign State was a party. and upon the fact that altho this point had been twice argued (once before the late Chancellor and again before the present) a Decision upon it had been evaded and procrastinated beyond all Example. - The Board were influenced too by the Idea held out in the argument of the States Counsel (of which we believe the Committee have a Copy) that altho the Claim in Question was proper for Judiciary Cognizance it was also proper to be aided by Treaty. -

From the Length of Time that has elapsed since the Question of Jurisdiction has occurred without receiving a Determination. From the Intimations given by the Court at different Times suggesting Doubts of its power to decide. and indirectly pointing to an adjustment by Negotiation. From the laboured Arguments that have taken place without terminating in Decision. and from the repeated obstacles that our Claim has been encountered with since it has first gone into Equity the Board could not hesitate to believe "that it would ultimately be rejected or at least laid aside as not proper for Judiciary Cognizance". We enclose you a letter from Mr. Murdoch. and a Copy of a Letter from the Messrs Lyons to the Agent. in relation to this Subject which are the only material Documents we can at present lay our Hands upon.

Other Letters have been received more full and satisfactory but they have either been transmitted to the General Assembly and not returned or have been mislaid. -

We have the Honor

The Honble

Charles Carroll of Carrollton &
others (Committee of the Senate)

John W. Stone