

In the same line, after the word "person" insert "or persons." In the 5th line of the same page, after the word "person" insert "or persons." Strike out the last enacting clause.

The bill, entitled, An act to settle and pay the civil list, and other expences of civil government, was read the second time and will pass.

The senate adjourns until to-morrow morning 10 o'clock.

T U E S D A Y, December 6, 1796.

THE senate met. Present the same members as on yesterday. The proceedings of yesterday were read.

The bill, entitled, An act for the relief of Anne Dent and Theodore Dent, administrators of Peter Dent, late of Charles county, deceased, with the amendments thereto, the bill, entitled, An act for erecting a new bridge over Dividing creek, between the counties of Somerset and Worcester, with the amendments thereto, and the bill, entitled, An act to settle and pay the civil list, and other expences of civil government, were sent to the house of delegates by the clerk.

The honourable Charles Carroll, of Carrollton, Esquire, from the joint committee of both houses appointed to confer upon the subject of the stock due to this state in the bank of England, delivers the following report:

THE joint committee of both houses, appointed to confer upon the subject of the stock due to this state in the bank of England, beg leave to report, that they have communicated with Samuel Chase, Esquire, agent for the recovery thereof, and have received from him the following verbal information respecting the actual situation of the said stock: That in consequence of the death of James Russell previously to the year 1789, against whom, as the only acting trustee of said stock, the agent, while in London, had filed a bill in the high court of chancery of England to enforce a transfer thereof, it will be necessary to file a bill of revivor to reinstate the suit, and entitle himself to a recovery of the stock, as agent for the state; that the executors of Osgood Hanbury, and company, in virtue of an assignment made by the agent, pursuant to the act of assembly of November session, 1786, chap. 50, empowering him to assign to the said Hanbury, and company, a sum not exceeding £. 11,000 capital bank stock, have filed a bill in chancery against Henry Harford, Esquire, late proprietary of the then province of Maryland, and others; that in making the said Henry Harford party to the said suit, the agent conceives they have acted very improperly, and that it was without his knowledge; that had he been advised with upon the occasion, he would not have assented to the measure, of which he cannot see the necessity, or divine the reason; that he has long ago lodged money in the hands of Mr. William Murdock, of London, to pay the Messieurs Lyons, his solicitors in chancery, their bills of costs; that Mr. Murdock has frequently called upon them to produce their bills, and receive their amount, which, though often promised, they have hitherto declined producing and receiving payment; that the agent had understood, that the former chancellor was averse from giving a decree respecting this stock, alleging, that it was a matter fitter for diplomatic negotiation than for his decision as chancellor; that in consequence of this information and suggestion, our executive, on the application of the agent, had requested the executive of the United States to direct Mr. Jay, if not inconsistent with the objects of his mission, to interpose on behalf of this state with the British ministry, and to obtain payment of the bank stock bona fide due to it; that Mr. Jay, or Mr. Pinkney, the resident minister at the court of St. James, was accordingly instructed to that purpose, and that the necessary papers to give them full information and knowledge of the claim of this state to the said stock were transmitted to Mr. Pinkney, and are now probably in the hands of Mr. King, the present minister of the United States to that court; that Mr. Jay had some conversation with the chancellor respecting this stock, but that its recovery had not been made the subject of negotiation; that the secretary of state has promised the agent to write to Mr. King to render every service in his power to this state with respect to its stock in the bank of England; that Mr. William Pinkney is instructed by the agent, (but the instructions have not been imparted to the committee,) to consult with Mr. King, to use his utmost endeavours, in conjunction with that gentleman, to obtain a decision in the court of chancery, and in consequence thereof an assignment and transfer of the stock to the persons appointed to receive it by the act of assembly of November session, 1791, chap. 85; that one of the said persons is misnamed in the said act, being called Sir James instead of Sir Robert Herries, which misnomer the committee are of opinion should be rectified by a supplementary act of the present session; that the capital bank stock, exclusively of the aforesaid assignment to Osgood Hanbury, and company, amounts at this time to £. 69,000; that by the latest advices £. 100 capital stock of the bank of England would command in the market from £. 158 to £. 160 sterling; that the agent is persuaded that Mr. Pinkney, in consequence of his instructions, and from a desire to be useful to the state, will exert himself to procure a final settlement of this extremely procrastinated and tedious piece of business; that if the assignees of the state should recover the sum assigned to them, (which cause has some time ago been argued before the chancellor,) the state, he conceived, would certainly be entitled to a decree in its favour, and that the suit to obtain it might be renewed without any considerable loss of time.

Upon the whole, the committee have some expectation, that in consequence of Mr. Pinkney's endeavours, some more favourable accounts, as to this stock, may be received between the present and next session of assembly; the committee, however, suggest to the legislature, the propriety of passing a resolve, directing the agent to lay before the next assembly, in writing, early in the session, the instructions given by him to Mr. Pinkney, the solicitors in chancery, or to any other persons whom he may have employed to manage the business for him, and then also to communicate to the

assembly;