

Bank of North America  
William Lewis Esq.

I have this morning received a letter of this days date  
from Wm. H. Tod Esq. of which the following is Copy and  
which be good enough to answer him on the part of the Bank

" Sir M. Joseph Lowndes has applied to me to recover from  
" the Presid: Directors &c. of the Bank of N.A. the amount of  
" a certain Note belonging to him which was deposited  
" with that Bank by Mess<sup>rs</sup> Buckley and by the  
" Bank loaned to their own use - As I have been  
" informed by M. Lowndes that Application has already  
" been made to the Directors on this Subject and they have  
" determined to contest his Claim in a Court of Justice  
" I now have to request you to direct your Attorney to  
" call upon me and enter our amicable Action in  
" order to try the Question between M. Lowndes and  
" the Bank - I shall be glad to hear from you  
" before Monday next - I am &c.  
" Wm. H. Parisher Cashr. William H. Tod  
" B. N. A.

James M. S. Bank N.A.

In order that the Subject may at  
once be brought before thee I send a Statement of it in  
June & July 1809, with thy Opinion thereon - According to  
this Opinion, the Right of the Bank to hold & apply the Note  
in Question towards satisfying the Debt due from the Buckley;  
is made to depend on two Points. viz  
1<sup>st</sup> whether that Debt was contracted after the deposit of  
the Note - and  
2<sup>d</sup> before Notice to the Bank of the Property being in another Person  
and



and according to this Opinion  
as the Note in Question was deposited in 1805  
the Debt of the Buckleys afterwards in 1808, and  
that in June 1809 the Bank had the first Notice  
of any Claim (other than Buckleys) to the Note in Question

The Directors concluded that the Right of so applying  
the said Note was in them, and have taken their Ground  
accordingly —

I am very Respectfully  
Yr. Obedient Servant  
Octob. 23. 1812

Lancaster History



Lancaster History



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The Action is in Casiers  
the distred Court but  
whether it is in trover for  
the note, or in assumpsit  
for its amount even my  
Lord Coke could not tell  
from the facts of the case  
nor will the Plaintiffs  
\* Counsel venture to say  
No

William Lewis Esq

Sept: 2. 1815. I agreed with  
Mr. Tod that he may with  
draw the case, & declare in  
assumpsit  
No