

within the Antient Reputed Bounds and Limits of Maryland and as there is yet no other Criterion Established whereby to Ascertain the Bounds of the two provinces upon that Quarter (the Same being still in Litigation and Waiting his Majestys final order than Antient reputation we must be of Opinion that such Survey must be so far from giving to that Province a Jurisdiction of this matter, that we cannot but Consider the Survey of that Land so far within the Antient Reputed Bounds and Limits of Maryland by virtue of a Warrant under the Pensylvania Government is not only an Injury and Wrong to the Right Honourable the Lord Baltimore and this Government but Likewise as a Contempt of and Insult upon his Majestys Authority, before whom the matter Relating to the Bounds of the two provinces then Was and Still is in Litigation and suspence & directly repugnant to his Majestys Order of the 25 of May 1758. Having Thus may it please your Excellency stated the Several Matterial Facts Resulting from the papers you were pleased to lay before us, and Interspersed a few Cursory Remarks.

Lib. J. R.  
& U. S.

We begg leave to Communicate our Opinion and Advice thereon. And first we are of Opinion that the fact perpetrated by John Willy upon the Body of William Outten is (and we presume to call it so) murther

Secondly that John Sharpe is Likewise Guilty as principal.

We begg leave to be understood as only delivering our present Opinion supposing the Several facts above stated are true as they now stand proved.

And Thirdly we are of Opinion that the place where the fact is Committed is within the Antient reputed Bounds and Limits of Maryland, and that Consequently the Tryal of this Fact is not within the Jurisdiction of Pensylvania or the three Lower Counties but belongs solely and properly to this province.

And we do further presume to Recommend to your Excellency an application to his Honour the Governor of pensylvania and the three Lower Counties, that he will be pleased to give orders to the Several Magistrates and officers within his Governments that the said Willy and Sharp may be apprehended and kept in Safe Custody untill notice thereof may be given to your Excellency, and such Sheriff of this province as you shall be pleased to Direct for that purpose may attend on the Borders on Some day to be appointed to receive them for their Tryal in this province That he will be pleased to give orders for the Discharge of such Persons Residents of this Province who were attending the said Outten at his Request in the Execution of his duty and who have