

Lib. J. R.  
& U. S. By a Letter I have just received from the Chief Justice I have reason to think my orders have been carefully obeyed and I send you Copies of Sundry Affidavits which evince that the Place &c. is in the County of Sussex.

I have now the Honour to acquaint you that as I conceive it is not in my Power to obstruct the Course of the Law, nor in any wise to interfere therewith, I cannot consistent with my Station or Duty Comply with the request you have made to deliver up Wiley, Sharpe and others to receive their Tryal in your Province, nor to discharge such Persons as now stand Indicted for a Riot on or near the Borders of the two Provinces.

p. 314 The Justices of the Supreme Court of the Government of the Lower Counties having appointed the 25<sup>th</sup> Instant at Lewis for the Tryal of John Wiley and others under Indictments I shall send the Attorney General to attend the Court and if it be found that the Place where Outten was killed is out of the Jurisdiction of that Court I shall then Give the Necessary orders to have Wiley and all others confined and delivered up to any Officer you may appoint to receive them in order to be tried where the Fact shall really appear to have been committed

I am Sir

Your most Obedient

Sussex County on Delaware.

and most Humble Serv<sup>t</sup>

William Denny.

The Deposition of Waitman Willey of the County aforesaid Yeoman aged Twenty Seven years or thereabouts taken at Lewis in the said County this Twenty third day of May in the year of our Lord one Thousand Seven Hundred and Fifty nine. This Deponent being Sworn on the Holy Evangelists did depose and say that he was born in Somerset County in the Province of Maryland, very near the Borders of the County of Sussex on Delaware (as it is now called) but then more Generally known and called by the name of Whorekill County; The Deponent farther saith, that when he was a Lad his Father (by name John Willey) was Deputy Sheriff to a certain Joseph M<sup>c</sup>Closter, then high Sheriff of Somerset County aforesaid and he the Deponent further saith that on the Plantation whereon a certain Richard Coverdale Sen. now Dwelleth, or upon some Part of the Land of the said Plantation a certain Nathaniel Dunahow had made an Improvement and small Settlement, but under what rights he the Deponent knoweth not; the which Plantation is Scituate on a Branch called and known by the Name of Maple Marsh Branch, and on the Northern side thereof,