

Admitting that the fortieth parallel apparently ran right through Philadelphia, he proposed that Baltimore move his colony one-half a degree south.

The effect of this proposition, if accepted by Baltimore, would have placed Maryland's northern boundary at about its present location and its southern boundary below the Potomac and deep into Virginia. When Baltimore suggested that Virginia might object, Penn intimated that his influence with the Duke of York in London might be helpful. Baltimore refused and the conference ended. But Penn was persistent and a later meeting was arranged with Baltimore, this time at New Castle. Penn pointed out that his prime consideration was not for land but for access to the sea. He wanted to guarantee his title to Philadelphia and the approach to it through the Delaware River. He also wanted a supplemental seaport to the interior of his province through the Chesapeake Bay. He offered Baltimore all southern Pennsylvania west of the Philadelphia area in exchange for a port on the Susquehanna. Under the proposal, Maryland would own all the land below the fortieth parallel, about 25 miles south of Harrisburg, but Pennsylvania would own a seaport in Maryland, with guaranteed access to the sea by way of Chesapeake Bay and the Susquehanna River, which at that time was navigable in the area under discussion. But Baltimore again turned Penn down and claimed all his original grant.

The controversy then moved to England. In 1685 the Privy Council of England handed down a compromise decision. It divided the Eastern Shore peninsula in half, from Cape Henlopen north to parallel forty. The eastern half, including Philadelphia and the Delaware counties, was awarded to William Penn; the western part went to Lord Baltimore. The decision was based on the doctrine of "absolute necessity," to protect Penn's settlement at Philadelphia.

Penn was satisfied with this verdict and had the King ratify it immediately. It gave Maryland her present boundaries and, in addition, southern Pennsylvania west of Coatesville, and Delaware south of Cape Henlopen. But Baltimore denounced the decision as confiscating his lands and stealing from him Philadelphia and Delaware. He refused to abide by the King's order to divide the lands. There the matter rested for nearly 50 more years.

In 1732 Charles, the fifth Lord Baltimore, met the three surviving sons of William Penn and signed an agreement which all parties thought was a final settlement of the matter. Maryland abandoned all claims to Delaware from Cape Henlopen northward. The Maryland-Pennsyl-