

It is, however, interesting to note the claims implied by the limits of these counties in their bearing on the broader question of the ownership of the Delaware seaboard which was the subject of so much discussion before the Privy Council Committee of Trade and Plantations during the years 1683 to 1685. According to the Herrman map of 1670 Mount Scarborough lay just south of the present town of Snow Hill in Worcester County. It would accordingly appear that in the lord proprietor's mind his title to the territory from the Calvert-Scarborough line of 1668 to the Whorekill was equally good in all parts, a fact which has its bearing on the assertions of the Penns that Cape Henlopen lay some 15 or 20 miles south of the Whorekill at the time of the original grant.

The unnamed county foreshadowed in the proprietary's instructions of 1669 was approximately the same as that named and defined by the proclamation of June 19, 1672, by which Worcester County was erected out of a portion of Somerset. According to the proclamation the proprietor states

"for that we are informed that Several Persons are seated there without our Leave or License or without the Leave or License of our Captain General of our said Province and we having erected that part of oursd Province Beginning at the Southernmost Branch of a Bay now called Rehoboth Bay and from thence running Northerly up the Sea Board side to the South Cape of Delaware Bay and thence to the Whore keil Creeke and up the Bay to the fortieth degree Northerly Latitude into a County and do hereby erect the same into a County and it is our will and Pleasure that it shall be a County and called by the name of worcester County in our said Province of Maryland." (Md. Arch., 5: 108.)

This county, like its companion Durham County, was only temporary and is distinct from the Worcester County erected in 1742, although the area included is approximately the same except in so far as the modification of the exterior limits of Maryland influenced the county. As in the case of the original instructions the boundary line between Somerset and Worcester was not defined even in the more detailed proclamation of 1672. It is probable that the line, if occasion had arisen for its location, would have been placed about the same as the later line prescribed by the Act of 1742.

In the fall of 1684 the question of jurisdiction over the territory