

West River Md Feb. 13<sup>th</sup> 1858

To Sir Wm. Allen  
 & William Hicks  
 Governor of Maryland.

Sir:

I sincerely tender to you the resignation of my appointment as "Commissioner in the part of the state of Maryland to act in conjunction with a Commissioner appointed or to be appointed by the Governor of the State of Virginia to retrace and mark the Boundary line dividing the state of Maryland from the state of Virginia between Smith's Point and the Atlantic Ocean and to accurately survey, trace or mark with suitable monuments the dividing line between the state of Virginia and the state of Maryland beginning therefor at Fairfax Stone, and running thence due North to the line of the state of Pennsylvania.

In terminating my connection with the work it is proper that I should explain the action that was taken under the Commission; and the reasons why the disputed Boundary lines have not been retraced and marked in accordance with the Act of the General Assembly of 1854 for that purpose.

Soon after receiving the appointment of Commissioner from the Governor of Maryland I put myself in communication with the Commissioner (Mr Morris) on the part of Virginia, which subsequently led to a personal conference in the City of Washington. On a comparison of Powers it was found that the Virginia Commissioner was authorized to run only the line constituting our Western Boundary, whilst I construed the language of my Commission (quoted in the first paragraph of the letter) as requiring me to run both lines. I was strengthened in this opinion by the fact that this view of the subject was entertained by the distinguished gentleman (the late Mr Done) who originated the measure, at least as far the Eastern shore line was concerned in the Senate, and by others who co-operated with him. It was confidently believed that a correct line traced "between Smith's Point and the Atlantic Ocean" would result in a considerable accession of Territory and population to the State of Maryland, to which she is legally entitled and of which she has been unjustly deprived. It was known that the State of Virginia was opposed to the running of that Boundary from the well grounded apprehensions of losing the disputed Territory; and it was hoped that by insisting upon the retracing of both lines as one purpose, she might be disposed to yield to our reasonable demands. At the time to which I have referred, it was however, a matter of little consequence what construction was placed on the Powers of the respective Commissioners inasmuch as neither state had made any disposition to defray the expenses of the Survey.