

ing of our charter. It has therefore surprised your committee, that the state of Virginia, so enlightened, just and generous on most other subjects, in this matter of the adjustment of our boundaries, should refuse to meet us upon terms of justice and right, and consistent with the dignity of both states. The offer of our act of eighteen hundred and eighteen, having failed as stated, this state at December session eighteen hundred and twenty five, passed sundry resolutions, on the same subject, by which the governor and council were authorised and requested to appoint three commissioners on the part of this state, to meet such commissioners as might be appointed by Virginia, to settle and adjust by mutual compact between the two governments, the dividing and boundary lines between them. And it was provided in one of the resolutions in case of disagreement, between the commissioners appointed by both states, that the executive of this state, should request the governor of Delaware to appoint an umpire. In the month of April next, after the adoption of these resolutions, Governor Kent, transmitted them to Governor Tyler; and in the month of May following, Governor Tyler, sent his reply to Governor Kent. It will be found that Governor Kent, reminded the Governor of Virginia of the anxious desire of this state so often manifested on that subject; Governor Tyler, in his reply, admitted the importance of the matter, and the unsettled condition of the boundaries—but thought it was owing to defectiveness of powers with which the commissioners on both sides were entrusted. This correspondence was communicated to both branches of the legislature by Governor Kent, at December session eighteen hundred and twenty six; since which nothing has been done as far as your committee have been able to ascertain. By a petition from some of the citizens of Allegany county in this state, presented to the general assembly, it appears that the authorities of an adjoining county in Virginia, have assumed jurisdiction over them; and they are now called upon to do duty as citizens and pay taxes in Preston county Virginia. Notwithstanding the opinion of your committee that in a strict legal adversary proceeding against Virginia, the common call of the first fountain ought as originally intended, to start a meridian for the western boundary at the most western source of the South Branch, (and verging towards the south unto the further bank of said river, and following the same