

Thursday 30<sup>th</sup> May 1683.P. R. O.  
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A reference dated 31<sup>st</sup> May upon the petition of Richard Burk servant to my Lord Baltimore being read praying that a Grant which is passing to His Royal Highness of the parts adjacent to Delaware Bay may not pass the Great Seal until His Maj. shall be satisfied concerning the extent of lands granted to the Lord Baltimore. Counsel learned in behalf of his Royal Highness together with an Agent from M<sup>r</sup> Penn who solicits the passing of this Grant as also the petit<sup>r</sup> M<sup>r</sup> Burk and his Counsel learned are called in, Whereupon the Counsel for my Lord Baltimore affirming that the Tract of Land in question lyes within the limits of the charter granted to the Lord Baltimore and that his Lordship has always continued his claim thereunto, M<sup>r</sup> Penn's Agent and the Counsel in behalf of his Royal Highness endeavoured to make out that this Territory was never possessed by my Lord Baltimore but originally inhabited by Dutch and Swedes and that the Grant to my Lord Baltimore was only of lands not inhabited by Christians so that a surrender having been made of the Country to His Maj. in 1664 the Lord Baltimore can have no rightful claim thereunto and that it having been ever since in the possession of his Royal Highness the Lord Baltimore can receive no injury by the Grant that is desired. Upon the whole matter M<sup>r</sup> Penn's Agent undertaking to prove within a short time that this Country was possessed by the Dutch and Swedes in the year 1609 or at least before the date of the Lord Baltimore's patent their Lordships agree to meet again as soon as the proofs shall be ready for making out the same

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p. 105 At the Court at Hampton Court the 31 of May 1683. By the King's most Excellent Majesty and the Lords of His Majesty's Most honorable Privy Councill

Upon Reading this day at the Board the humble Petition of Richard Burke gent, servant to the Right Honorable Charles Lord Baltimore, praying in behalf of his Lordship that a grant (which is passing) from His Majesty to His Royall Highness the Duke of York of the Town of Newcastle and the adjacent country on the confines of Maryland may not pass the Great Seal untill his Majesty shall be satisfied of the extent of letters Patents formerly granted to Cecile Lord Baltimore, wherein the said Town and adjacent Country is alleged to be comprized, His Majesty in Councill was pleased to order that the examination of that whole matter be, and it is hereby referred to the Right Hon<sup>ble</sup> the Lords Committees of this Board for Trade and Forreign Plantations and upon their Lordships Report of the State thereof with their Opinion thereupon, His Majesty will declare his further Pleasure.

Phi: Lloyd.