

ticularly into this unhappy Affair. The Justices declared there was abundant proof that the place where the Fact was committed is and was ever reputed to be within the County of Sussex, and that the Gentlemen of the Maryland Council had been misinformed as to their behaviour which has always been peaceable and quiet, and that they were greatly surprized and concerned to hear that at a Time when the Proprietaries of Pennsylvania had acquainted the House of Assembly that a final agreement was likely to take place between the Lord Baltimore and them for the Settlement of all disputes relative to the Borders, there shou'd be Indictments against John Sharp and many others Inhabitants of the County of Sussex found by the Grand Jury for the county of Worcester, for not delivering List's of their several Taxables to the Cunstables of that County and that Process shou'd so rashly issue out of that County Court for the Apprehending them, when it was well known that they were within the Bounds of Sussex County and had paid their Taxes uninterruptedly in that County from the first Settlement of their Lands. Those Gentlemen further inform me that Sundry Facts relating to themselves as set forth in the depositions were absolutely untrue.

After giving them a strict Charge so to demean themselves that no disturbance might arise amongst the Borderers, I sent orders to have the most exact Enquiry made into the Affair and particularly to ascertain the situation of the place where Outten was unfortunately killed and to return all to me upon Oath.

By a Letter I have just received from the Chief Justice I have reason to think my Orders have been carefully obeyed, and I send you Copies of sundry Affidavits which evince that the place &ca is in the County of Sussex.

I have now the Honour to acquaint you that as I conceive it is not in my power to obstruct the course of the Law, nor in any wise to interfere therewith I cannot consistent with my Station or Duty comply with the request you have made to deliver up Wiley, Sharp and others to receive their Tryal in your province, nor to discharge such persons as now stand Indicted for a Riott on or near the Borders of the Two Provinces.

The Justices of the Supream Court of the Government of the Lower Counties having appointed the 25th Instant at Lewis for the Tryal of John Wiley and others under Indictments. I shall send the Attorney General to attend the Court, and if it be found that the place where Outten was killed is out of the Jurisdiction of that Court I shall then give the necessary Orders to have Wiley and all others confined and delivered up to any Officer you may appoint to receive them in order to be