

by M^r Penn it was answerd Plenipotentiary with referrence to his Instructions, w^{ch} he had giuen his Cosen Markham. Now what person, but such a great Prince, durst presume to oppose his owne priuate Instructions against his Maj^{ties} Positiue Comānds; for such those were, that were contained in the said letter of the 2^d of Aprill, and were grounded on the letters Pattents as his Maiestie was pleased therein to Expresse. What had the L. B. to doe to Enquire into Captⁿ Markhams priuate Instructions, when his most sacred Maiestie had Peremptorily comāded his L^{opp} to apoint agents to Joine with Agents from M^r Penn to agree with all Conuenient speed the Bounds of Maryland and Pensiluania. And by M^r Penns letter, which Captⁿ Markham deliuered the L. B: his L^{opp} was assur'd that M^r Markham was fully Impowred by him to Joyne with his L^{opp} in the Speedy Execution of his Maiesties Comānds contained in the abouesaid letter? What means then the mentioning of those Instructions? But I will only say this more, that since Prop^r Penn dares offer his owne priuate Instructions against the positiue Comānds, exprest in a letter so full of grace and fauor from his Maiestie towards him, he had done better to haue bin silent in that part of his 4th section, where he tells us he will not disowne, the Lawes his Agents should make in his absence for the publick good, when he came back; Reserueing (as is Suppos'd) that he will be the Judge of what is, and is not for publick good; which the L. B. with the aduice of his Council pretends to be Judge off, where he is Concerned; Therefore he is able to Justifie himselfe, where he has giuen his disassent to any Law made by his Deputy in his Absence; and more Especially in such Cases, where his Deputy had Exceeded, and gone Contrary to the Expresse words of his Comission, and his Instructions.

8^{ly} In the 8th Section M^r Penn alleadgeth it to be odd [The demand shold be made seuerall months after the Proclamacōn was put forth &^{ca}]. Something must still be said, and this as little to the purpose as anything Else. Where is the hurt, or the breach of an amicable Treaty, if such had bin intended by Prop^r Penn (which by his vnderhand dealings appears to be onely in shew) In the L: B^s sending barely to make his Claime to those parts of Delaware within his Charter M^r Penn has seemed to think at other times that the L B: had not made and Continued his Claime often enough. Coll Talbotts not Leauing a Letter, which by M^r Penn is termed a want of comōn Decency was pursuant to the intent of his Comission; for had he left any, it might haue bin accounted an Act of weakness, and much aduantage might haue bin taken from thence. Let it suffice, that the L B: takes upon himselfe what his Cosen Talbot did by his Comission, and for