

of Land lyeing between the River, & Bay of Dellaware, and the Easterne Sea, on the one side, and Cheasepeake Bay on the other, be divided in two Equall parts by a Line from the Latitude of Cape Henlopen, to the fortyeth degree of Northerne Latitude, and that one halfe thereof lyeing towards the Bay of Dellaware, and the Easterne Sea, be adjudged to belong to his Majesty, and that the other halfe remaine to the Lord Baltemore as comprized within his charter, and that the said Lands be forthwith divided accordingly, whereof the said Lord Baltemore, and William Penn Esq<sup>r</sup> together with their respectiue officers, and all others whome itt may concerne were to take notice, and giue due and ready obedience thereunto, as the said order fully expresseth

Now if itt be alleadged that Cape Henlopen mentioned in the said order of the King and councill, & Cape Inlopen are the same, wee answer that then there had been noe need for the King and Councill to haue mentioned the Easterne Sea, but its certaine that Cape Henlopen was understood to be considerably to the Southward of Cape Inlopen, as by the printed Mapp, that was then layed before the King and Councill, and particularly by a Line drawne att the tyme on the said Mapp, beginning at the said Cape Henlopen does appeare

Sometime after the aforesaid order of the King in Councill for the decideing of the Difference between the two prop<sup>rs</sup>, the Com<sup>rs</sup> of Propry authorized to grant warrant and pattents for Lands by William Penn Esquire in his Province and Territoryes, were pleased to grant severall parcells of Land, unto Some of the inhabitants of the county of Sussex, out of the Tract of Land, that was taken up for our said Propry William Penn Esquire, in Cedar Neck, and particularly six hundred acres, to William Clarke jun<sup>r</sup>, both which said parcells of Land were Seated, and great improvements made thereon, and they and their assignes possessed and Enjoyed the Same peaceably for severall years

Butt soe it is that some Tyme after the inhabitants there were well settled in and about Cedar Neck as af<sup>d</sup> in right of the Propry Penn, some of the inhabitants of Somersett County in Maryland, came and by force of arms compelled the inhabitants there to submitt to the Governem<sup>t</sup> of Maryland, and now haue Serued a Lease of Ejectm<sup>t</sup> on one John Stokely Tenn<sup>t</sup> to the said William Clarke at the suite of one Diggs, under pretence of a grant, or survey under Maryland Rights (after the said Land was located and Layed out for, and by the order of the said William Penn) commanding him to come to Tryall att the Provincial Court att Annapolis

Now the said Difference between the said Proprys still depending, Notwithstanding the aforesaid order of Councill by

P. R. O.

p. 21