

The Inclosed Depositions of Robert Owings & John Lemon Lib. C. B. p. 476
Prove that the Spot where Dudley Digges was Murthered
Had been Surveyed and indeed Patented for M^r Digges the
Father under the Authority of this Government some Consid-
erable time before his Majestys Order in Council. That John
Lemon upon some Agreement with and under M^r Digges had
Possession of it. That Martin Kitzmiller Purchased from
John Lemon his work (which I Suppose means his Improve-
ments) on the said Land. That Kitzmiller being told by
Lemon, that he (Lemon) had no right to Sell the Land, but
that he (Kitzmiller) must buy of M^r Digges, Answered that
if he could get Lemons good will in his work he should not
Value Digges, for that he would hold it under Pensilvania

I must persume you unapprized of these Facts, when you
thought my Expectation of having Kitzmiller the Murderer
delivered into the hands of Justice in this Province Extraor-
dinary Since I cannot Harbour the least thought of your
Intention to Countenance such Violation of his Majestys
Order Indeavoured to be Disguised by a Shallow Artifice of
Kitzmiller's getting Possession of Land known at the very
time to be taken up & held under Maryland and then declaring
he would hold under Pensilvania

Other Witnesses may be had to the same Purpose but as
these are full and Express, and the Men of a fair Character
It may be needless to trouble you with more at Present, and I
hope these will Induce you not to wrest the Offender from
Justice (as you Express it) but to Send him into this Province
where he can only have a Legal Tryal

I concur in your Opinion of the Imprudence of resorting
to Force in order to gain Possession of Lands near the Borders
or any where Else, And I am persuaded you will also Joyn
with me in discouraging such Practices as Kitzmiller made
use of which gave occasion to Force, for the Peace of Our
Borders can never be Preserved if once this kind of Doctrine
should Prevail, That a Possession once gained by any means
is to be maintained at all Events

I am Sir

Your most obedient hble Serv^t

To the honble James Hamilton Esq^r
Governor of Pensilvania

Benj. Tasker

The Deposition of Robert Owings Aged fifty three or there- p. 477
abouts being Sworn on the holy Evangels of Almighty God
declares as follows.

Viz. That on or about the 26th day of February last Past
this Deponent hearing M^r Dudley Digges was Shot and
was much Wounded, near the dwelling Place of a Certain