

Lib. No. 86 gaining information of Vacant Land are considerable and the disappointment of many who may have regulated their Affairs in expectation of Grants according to the usual Course, will be severely felt. The Rights of those who have paid for and obtained warrants and made advantageous Locations, may be transferred, and the Purchasers proceeding agreeable to the common Usage in Transactions of this nature would have greater Reason than we wish them to have to complain of Injustice, should their Grants be withheld.

If the Measure of opening the Office respecting Lands to the Westward of Fort Cumberland, according to our opinion above referred to, appeared improper, as the Agent was fully apprised of the meeting of this Board, the occasion of such meeting, and of both the Substance and Letter of our opinion, if he thought it his indispensable duty to oppose it, his objections & Reasons in support of them would have been then more seasonable than they were on the 29<sup>th</sup> of April last, at which time he had received Caution Money to the Amount of £3459.—.6 and since that time to the am<sup>o</sup> of £2200.—.— and actually given his Titlings for warrants.

p. 137 Our Authority, it seems, has been called in Question. If we imagined it no longer existed, we should not upon any possible Motive of self Interest, concern ourselves with the Proprietor's Revenue, but we apprehend as this Board was established in consequence of the late Proprietor's Instructions which have been revived and continued by the general Instruction upon the accession of the present Proprietor, so we presume to think that the Authority of the Board is in Force as well as the Conditions of Plantations, and other Matters dependant on Instruction. If our Authority has however ceased, we should be at a loss to investigate the Power of Controul which seems to be Claimed by the present Agent; his Commission does not shew it, and we believe no former Agent ever exercised, or claimed it.

Before the establishment of this Board, the Governor and other Officers, were vested with the power of superintending the Affairs of Revenue; & we conceive it was upon the supposition of our continued Authority, that the opinion above referred to was required by & submitted to the Governor.

The Reasons assigned by the Agent in his Letter to the Judges of the Land Office, why he thought proper to controul their Proceeding in issuing Patents according to the established Conditions of Plantation may be reducible to the following Heads:

First, That the making Surveys beyond the Allegany Mountains, would be against his Majesty's express Command by Proclamation in the year 1763.