

*presumed* to lie in the 38th degree, and that Virginia might otherwise be wronged if her claim should be to that degree, &c. He proposed finally that to discover the fortieth degree an actual mensuration should take place from the Capes of Virginia, the true situation of which had been once ascertained, and was confirmed by tradition and common fame; or according to his own account, given in a letter to the committee of plantations, he proposed that lord Baltimore should measure even to two and a half degrees from Watkins's Point, at sixty miles to a degree, which he alledged was the proportion intended in the grant, and the (j) usual computation of a degree at the time when it was obtained. No compromise however was made; and a meeting at Newcastle, in the succeeding year was attended with as little success; for Mr. Penn evidently wanted to possess the sources of the Chesapeake, and his opponent, if not for other reasons equally desirous to prevent it, was at least afraid of permitting, upon any grounds, an encroachment upon his established bounds.

In the mean time, Mr. Penn, determined in some way to extend his acquisition southward towards the Chesapeake, had, after much solicitation, obtained from the duke of York a grant and conveyance of the Delaware colony, comprehending the town of Newcastle, with a territory of twelve miles around it, and the tract of land extending southward from it upon the Delaware to Cape Henlopen. The right of the duke to make this conveyance, appears to have been very slightly founded. But means were soon found, independent of that question, to destroy lord Baltimore's interest in the territory. The duke had now become king James II, and, his disposition seconding the efforts of Mr. Penn; the right of the proprietary of Maryland to the lands on the Delaware was referred to the committee of plantations, who in Novemder 1685 reported, that the land intended to have been granted to lord Baltimore was such as was *inhabited by savages*, but that the tract now claimed by him had been *planted by Christians antecedent to his grant*; yet to avoid further differences, the peninsula between the bays of Chesapeake and Delaware should be divided into two equal parts, by a line drawn from the latitude of Cape Henlopen to the fortieth degree, the portion lying towards the Delaware to belong to the king, and the other to lord Baltimore. This adjudication was founded altogether upon the traditionary settlements of the Dutch and other foreigners upon the Delaware, which settlements had however never before been recognized or respected by the English government, was, much to the satisfaction of Mr. Penn, ordered to be immediately made.

(j) 70 miles appears to have been the computation at the time this proposition was made.