

which have been or shall be made thereon." The King of Great Britain being entitled to the whole eminent domain of the country, granted a part of it to Lord Baltimore, by his charter. This right of the King was incontestible, and Virginia had no claim to any territory within the limits of Baltimore's charter, but inasmuch as there had been some dissatisfaction by some individuals in Virginia, in regard to the charter, it was friendly and proper for her, at that time, to make this express recognition of our limits, and had a tendency to remove all difficulty or misunderstanding that could possibly arise on the subject, through the perils of the revolution. In the same section of the Virginia constitution, it is declared, that "the western and northern extent of Virginia, shall, in all other respects, stand as fixed by the charter of King James the first, in the year one thousand six hundred and nine, and by the public treaty of peace between the courts of Great Britain and France, in the year one thousand seven hundred and sixty-three." The claim of the English to the continent of North America, was founded upon the discovery of Cabot in the year fourteen hundred and ninety-eight; and the name Virginia was, at one time, applied by the English to the whole continent; and sundry companies had from time to time, before the revolution, been chartered with permission to plant colonies within the limits of Virginia, and for other purposes. Amongst other charters, that of King James the first, mentioned in this article, had been granted, but was afterwards, as well as all other charters of that kind, annulled; and the rights granted by them vested in the crown, and before the date of Baltimore's charter, Virginia became a royal government. It is therefore clear that the ground taken by Virginia, in the twenty-first article of her constitution, was not tenable, except as a recognition of the Maryland claim. The general convention of delegates and representatives, who framed the constitution of Virginia, met at Williamsburgh on the sixth day of May, seventeen hundred and seventy-six, but a short time before the declaration of independance, when Virginia was in her first love as a sister state, it was fit and proper for her to make such a recognition. But her reservation in regard to the use of the rivers Potomac and Pocomoke, were wholly gratuitous; and the two states afterwards, by compact, on the twenty-eight day of March, in the year of our Lord one thousand seven hundred and eighty-five regulated and settled the jurisdiction and navigation of those rivers, and that part of Chesapeake bay within the territory of Virginia. If then Virginia had no right to any territory within the limits of Baltimore's charter, and made the re-