

RESOLUTIONS.

that it was so adjusted. It enlarged the jurisdiction of Virginia, and Fairfax gained the whole country between the South and North Branch. It appears also, by the act referred to, that Virginia and Fairfax run a line by consent, from the head spring of the said river Potomac to the head spring of the Rappahannock; beginning no doubt, at the place on the North Branch which has since been known by the Fairfax stone. The two interested parties, by a law suit which appears to have been carried on for their mutual benefit, got the King to decide that it shall be "between the rivers Potomac and Rappahannock," instead of "the heads of the rivers Rappahannock and Potomac," and then run a line making the head spring of the Potomac on the North Branch, where the Fairfax stone is now found. This was a plain usurpation of the rights of the elder Baltimore, being obtained through a decision in a cause to which he was no party, and of which he had no notice, and which afterwards received the protest of his successor, which was not made by his predecessor in consequence of his death. Some time in the year seventeen hundred and forty-eight, a land office for granting lands in the neck was opened by Fairfax, after the ex-parte settlement of the boundary line between him and the government of Virginia was made, and in which the elder Baltimore had no part. From this office, grants were issued which extended so far to the "west as to raise the question of location of the head of the Potomac," which caused Frederick Lord Baltimore, after his accession to the right of the Maryland domain, to turn his attention "to its western limits," and "in his instructions to Governor Sharp, which were presented by the latter to his council in August, seventeen hundred and fifty-three, he alludes to the Fairfax grant, and remarks, that he had been informed that the government of Virginia had undertaken to ascertain the limits of his charter; and that the commissioners who had been appointed for this purpose, instead of stopping at the South Branch, which runs from the first fountain of the Potomac, had gone even to the North Branch; that if any such adjustment was made, he had no knowledge of his predecessor being a party to it, and therefore concluded by it." He therefore directed the governor "to obtain early intelligence of the manner in which the boundaries were settled by these commissioners, and to apprise Lord Fairfax of his desire to adjust that boundary with him; and he at the same time commands him to keep a good look out, and prohibit settlements under Fairfax in the country north of the South Branch.—These instructions being laid before the council, in order to a com-