

accept; and thus the state had no commissioners until eighteen hundred and one. In that year, by a resolution of the general assembly, the power to appoint commissioners was given to the governor and council. The governor and council, under the authority given them, appointed Messrs. Duvall, M'Dowell and Nelson, commissioners; and a correspondence took place between governor Mercer of Maryland, and governor Monroe of Virginia. But neither the first letter of Governor Mercer, nor the reply of governor Monroe, can be found. There is, however, a letter from governor Mercer, dated June 5th, 1802, to the governor of Virginia, in which there is an acknowledgment of the receipt of a letter from the governor of Virginia upon the subject of our southern and western limits, which shows that there was a correspondence under the resolutions of eighteen hundred and one. By the letter from governor Mercer of June 5, 1802, it appears that governor Monroe had expressed surprise at being informed of the pretensions of Maryland, and he is referred for the information of himself and the legislature of Virginia, to the resolutions of seventeen hundred and ninety-five, and to a letter of governor Stone which was written immediately after the passage of these resolutions, as well as to the letter of governor Brooke of Virginia, in reply to him. From governor Mercer's letter, it appears that the legislature of Virginia passed an act to appoint commissioners to meet those appointed by Maryland, but limiting their proceedings to a settlement of the western line. In this correspondence, governor Mercer informs governor Monroe that no measures could be adopted to ascertain the western boundary between the states, until it should be first determined "whether the North or South Branch is the main branch of the river Potomac." Maryland had proposed the final adjustment of our southern and western limits, which were evidently unsettled, but Virginia offers to settle the western line alone. She evaded, as she has endeavoured to do ever since, the true question and place of the first fountain, the only matter in dispute; while Maryland, bold and confident in the merits and justice of her claim, went upon her common call in her charter. But it is plain upon principles of justice and right, that Virginia could gain no advantage, even by an attempt to settle the western line first, unless she demands of us to abandon our charter. By the charter, the western line was