

nia is wholly incompetent to meet the discussion intended by the legislature of Maryland, and in fact that no measures can be adopted to ascertain the western boundary between the states, until it shall be first determined whether the North or South Branch is the main branch of the river Patowmack, which in effect will decide the southern boundary. No steps can therefore be authorised by the executive of Maryland on the part of their commissioners, in co operation with those of Virginia, acting under an authority so limited, as in effect to predetermine the principal point in controversy.

No other alternative then remains for this executive, but to report their proceedings to the legislature of Maryland at their next session, confiding in the conciliatory expressions which your excellency has used on this occasion, and trusting that no motives can ever exist on the part of either state to disturb that harmony that now so happily exists, and which an adherence to the principles of justice will not fail to augment to their mutual benefit.

Should your excellency become possessed of any documents tending to elucidate this subject, and will furnish me with them, it will give me great satisfaction to lay them before the legislature of Maryland at their next session; and with the most respectful consideration,

I have the honor to be,

Your Excellency's most ob't. serv't.

JOHN F. MERCER.

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No. 10.

Extract of a Message from Governor Mercer to the Legislature of Maryland.

In Council, Nov. 6, 1802.

Gentlemen:—In pursuance of the resolution authorising the appointment of three commissioners, on the part of this state, to meet such commissioners as might be named by the commonwealth of Virginia, to settle and adjust by mutual compact, the western and southern boundaries of this state, and the dividing lines and boundaries of the respective states, we appointed Gabriel Davall, John M'Dowell and Roger