

## Federal Courts before the Constitution.

sented to the recognition of the independence of Vermont. New Hampshire followed in 1781, and New York in 1790. The controversy was then closed by the passage of the act of February 18, 1791, 1 Stat. 191, admitting Vermont into the Union on the 4th day of March next ensuing.

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 PENNSYLVANIA *v.* VIRGINIA.

In the printed Journals of Congress, under date of Monday, December 27, 1779, we find the following entry :

“Whereas, it appears to Congress, from the representation of the delegates of the State of Pennsylvania, that disputes have arisen between the States of Pennsylvania and Virginia, relative to the extent of their boundaries, which may probably be productive of serious evils to both States, and tend to lessen their exertions in the common cause : therefore —

“*Resolved*, That it be recommended to the contending parties not to grant any part of the disputed land, or to disturb the possession of any persons living thereon, and to avoid every appearance of force until the dispute can be amicably settled by both States, or brought to a just decision by the intervention of Congress ; that possessions forcibly taken be restored to the original possessors, and things placed in the situation in which they were at the commencement of the present war, without prejudice to the claims of either party.”

There is no subsequent entry in the Journals of Congress relating to this subject.

An agreement for settlement was made in Baltimore, August 31, 1779. After some correspondence, the Rev. James Madison, the Rev. Robert Andrews, Mr. John Page and Mr. Thomas Lewis were appointed Commissioners on the part of Virginia, and Mr. John Ewing, Mr. David Rittenhouse, Mr. John Lukins and Mr. Thomas

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ested in the claim; and can attest the danger to which the peace of the confederacy might have been exposed, had this State attempted to assert its rights by force. . . . New Jersey and Rhode Island, upon all occasions, discovered a warm zeal for the independence of Vermont; and Maryland, until alarmed by the appearance of a connection between Canada and that place, entered deeply into the same views.” *Federalist*, No. VII., Alexander Hamilton.

## Courts for determining Disputes between States.

Hutchins, Commissioners on the part of Pennsylvania. "The line commonly called Mason and Dixon's line" was "extended due west five degrees of longitude," "from the river Delaware for the southern boundary of Pennsylvania" and "a meridian line drawn from the western extremity thereof to the northern line of the State" became the western boundary. On the 23d August, 1784, the commission reported that the Ohio River was reached.

PENNSYLVANIA *v.* CONNECTICUT.

The Journal of Saturday, November 3, 1781, contains this entry: "A petition from the Supreme Executive Council of the Commonwealth of Pennsylvania was read, stating a matter of dispute between the said State and the State of Connecticut, respecting sundry lands lying on the east branch of the river Susquehanna, and praying a hearing in the premises, agreeably to the 9th Article of the Confederation."

On the 14th of November, 1781, Congress assigned the fourth Monday in June then next for the appearance of the States by their lawful agents, and ordered notice thereof in the following form:

"By the United States in Congress assembled, in the city of Philadelphia, on the 14th day of November, in the year of our Lord 1781, and in the 6th year of Independence.

"To the legislative authority of the State of Connecticut [Pennsylvania].

"It is hereby made known that pursuant to the 9th Article of the Confederation, the Supreme Executive Council of the State of Pennsylvania have presented a petition to Congress, stating that a controversy has long subsisted between the said State of Pennsylvania and the State of Connecticut, respecting sundry lands lying within the northern boundary of the said State of Pennsylvania, and praying for a hearing in pursuance of the 9th Article of the Confederation; and that the 4th Monday in June next is assigned for the appearance of the said States of Pennsylvania and Connecticut, by their lawful agents, at the place in which Congress shall then sit, to proceed in the premises as by the said Confederation is directed."

Monday, June 24, 1782, being the day assigned for the appearance of the States by their agents, Messrs. William Bradford,