

MARYLAND GAZETTE

THURSDAY, OCTOBER 5, 1786.

To the PRINTERS of the MARYLAND GAZETTE.

GENTLEMEN,

HAVING lately been favoured with a copy of a most extraordinary letter, written by Mr. Jenifer, the late intendant of the revenue, to a gentleman in Cecil county, it becomes necessary to lay it before the public, that they may judge of the motives of the author, who, I am told, has taken uncommon pains to circulate its contents through the state. Nothing can be more disagreeable to me than to enter into an altercation in the news papers. I have neither leisure nor inclination for such an undertaking; but the justice due to the character and reputation of the commissioners, requires that they should be shielded against the calumny and detraction of the writer. Every man, when animadverting on the conduct and character of others, should consider himself under an obligation of honour to speak the truth. Mr. Jenifer, when he is pleased to make the commissioners the subject of his observations, seems not to consider himself under the obligations of honour, truth, or decency.

The letter imports a charge against the commissioners of having laboured hard to turn the intendant out of office, and an insinuation that they intentionally delayed the settlement of their accounts to avoid an examination of them by the intendant. The commissioners at the time alluded to, were Mr. Clement Hollyday and myself. The assertion that I laboured hard to turn the intendant out of office, is as foreign from the truth as light is from darkness. So far from it, that I can declare that I never endeavoured or attempted, directly or indirectly, to influence the vote of any one member of the general assembly, and I can add, that I never whispered a slander to injure or affect his reputation. I cannot suppose that he meant to allude to colonel Ramiey, who had formerly been a commissioner, but who, at this time, was a member of the house of delegates. He must have been unworthy of the trust reposed in him by his constituents, if he had not opposed the continuance of an office, from which, in his opinion, the public could never derive any advantage.

Equally groundless is the insinuation that the commissioners intentionally delayed the settlement of their accounts to avoid an examination of them by the intendant; he knows it to be false, though he wishes others to believe it to be true. During the last session of the general assembly the commissioners had completed their accounts, and besides the usual examination which they must have undergone by the auditor and intendant, according to the laws which then existed, the commissioners, desirous to give general satisfaction, and to convince the impartial world that they had been attentive to the inter-

est of the state, requested that a committee of the house of delegates might be appointed to examine and inquire into their conduct, which was accordingly done. After this committee had scrutinized minutely into the conduct and the accounts of the commissioners, they made a report of approbation to the house; Mr. Jenifer was then waited on and requested to undertake the examination of them, which he declined; and answered, that unless he should be continued in office, which at that time was uncertain, he should not trouble himself with them; and that if he should be continued, he would not look at them before they were passed by the auditor-general. The same request, a few days afterwards, was repeated, and the answer in substance the same. The commissioners were particularly desirous that he should examine them; they flattered themselves, that notwithstanding his prejudices, when they were able to lay their whole conduct and proceedings before him, when the public accounts were stated in the most clear, accurate, and methodical manner, no objection possibly could be raised, but what could easily be removed. No reasonable man, who would divest himself of prejudice, could believe, that the commissioners would intentionally delay the settlement of an account with the public when there was a considerable balance due to them; and that there was a balance due is admitted by Mr. Jenifer himself. The assertion carries with it an absurdity too gross to be imposed on the most credulous and unsuspecting. With all his prejudices against the commissioners, he cannot believe it. He well knew that the accounts could not be properly and finally settled before all the sales were over, the surveys of the different lands complete, and all the returns made. These objects were not all accomplished until some time in the month of December last; he will know that in the prosecution of such a piece of business innumerable delays were unavoidable; and that to adjust accounts of such magnitude, with the various perplexities that arose, not by any mismanagement of the commissioners, much time and attention was necessary. One would have thought that the time he required to settle the intendant's accounts would have suggested similar observations. He must also remember that he contributed not a little to create delay and procrastination, by extending the indulgence given to those purchasers who had not bonded previous to the act to establish funds, &c.

Shortly after the adjournment of the general assembly, and after the auditor-general had examined the accounts of the commissioners, they were laid before the governor and council. Previous to the examination by the board, Mr. Jenifer seemed anxious to have the business referred to him, and applied by letter to the board for their opinion, whether the settlement of the commissioners accounts was not a part of his duty; the board were unanimously of opinion that he had nothing to do with them; and late in the month of July the business was taken into consideration by the governor and council, after the accounts had been before them for several months, and after several appointments had been made, and a hearing postponed until Mr. Jenifer thought proper to attend; during all which time he had access to the books. He attended during the investigation before the board, and had an opportunity of raising every possible objection which his ingenuity could suggest, not only to those parts of the accounts upon which they requested information, but also to the accounts in general. He was also suffered to make such objections as he thought proper to the conduct of the commissioners when in office; and after a full investigation of the subject, when all his objections, and the answer of the commissioners were heard and considered, the account was passed.

From Mr. Jenifer's letter, the inference has been drawn, not only that colonel Brice's opinion was against the account, but that he was also of opinion that the board had not a right to pass it. There is some ambiguity in the expressions. However, colonel Brice's opinion was in favour of the account, except a small part of it, and even as to that part he was not decided against it. Had all these facts been fully stated, any observations from me would have been unnecessary. Mr. Jenifer speaks of the account being passed by a thin council. Candour ought to have induced him to have mentioned why there was not a more full meeting. One of the members had declared that he would not sit on the business, and assigned his reasons for declining it; so that a full council was not to be had; the other gentleman was so engaged in business of the chancery court that he could not attend. If there had been a full meeting, the determination would have been the same.

I cannot indulge a belief that any tribunal upon earth would have refused to allow the commission on many sales which the commissioners had given up. If it had been claimed it must have been allowed, and there is not a court of law or equity in the state in which it could not be recovered. Mr. Jenifer affects to be of an opinion widely different indeed. By a statement of an account which he produced and laid before the governor and council, the commissioners were greatly in debt. I believe he is now ashamed of it, as he seems to admit that there was a balance due to them. His opinion of the conduct of the commissioners often varies: for the honour of human nature, I trust that no other man in the community, capable of discerning between right and wrong, would fully coincide with him against them. He has the vanity to censure indiscriminately, and to arraign the conduct and character of every man, however respectable, who differs with him in opinion.

The conclusion of his letter is affecting indeed! "Our public affairs are verging fast to confusion, and I fear general discontent will be the conclusion." This man, who is secretly sowing the seeds of confusion, by circulating letters full of falsehood and misrepresentation, has the modesty to express his fears of the general discontent which must ensue! Whenever we have an executive subservient to his will, or less capable of conducting the public business than he is, miserable must be our situation indeed!

He appears to exult greatly, because in some instances, his excellency concurred with him in opinion, and asserts that he has scored the commissioners deeply. Whether he is warranted in so saying, I know not; but whether he has just cause of triumph will best appear when he lays the matter before the public.

G D U V A L L.

L O N D O N, July 18.

A PIECE of intelligence, by no means unimportant to our trade, is, that in a letter dated Petersburg, June 15, we read what follows:—"As the treaty of commerce between us and the English expires on the 20th June, and the custom-house officers had thrown out some hints rather alarming to the British traders, the latter complained to their consul, who expostulated with the director-general of the customs." His answer was, that "no thoughts were entertained of making any alteration in the state of the former treaty; that the English merchants might make themselves perfectly easy, and carry on their trade in the usual way, till the empress should be pleased to signify, in a direct manner, her further intentions on the subject."

July 29. There is one object which all the American ambassadors in Europe have been intrusted to pursue with all possible ardour, and that is, to propose and bring to a happy conclusion, a treaty of confederation of all the maritime powers against the Algerines, Tunisian and other piratical states that infest the Mediterranean, and interrupt the commerce of Europe and America. Two plans have been proposed on this head—one that each contracting party shall agree to equip, and in turn keep stationed in the Mediterranean, a naval squadron, sufficient for the protection of all ships carrying the flags of Christian powers: This squadron to be relieved every six weeks, and to be bound to protect not only the trade of the nation to which the squadron belongs, but also of every other nation that shall become a party in the treaty; the Spaniards to fit out the first squadron, to be relieved by another furnished at the joint expence of the Italian states; this to be relieved by the French; these again by the English; and so on by the Dutch, Danes, Swedes, Russians and Americans. The other plan is, that the order of Malta shall be invited to undertake the protection of all ships sailing up the Levant, or in the Mediterranean; and that the contracting parties shall each furnish a quota in money, to be paid annually into the treasury of the order of Malta, to enable the order to keep constantly at sea a force sufficient to secure the freedom of navigation, within the latitudes to be specified. In both plans, a preliminary is, that the tributes or presents paid to the Barbary states shall cease and determine; and that the necessity of ships sailing through the Mediterranean being furnished with passes, shall of course no longer exist.—The court of Spain, we are assured, has lent a favourable ear to the proposal, and has expressed its readiness to accede to a treaty, founded on either of the two plans, whenever the other maritime powers shall signify their approbation of the system. The court

Dear Sir, (Copy) BE pleased to inform the purchasers of confiscated property that if they will lodge with you, or Mr. Thomas Underhill, money to discharge their bonds that I will take it at 13/4 in the pound; that is to say, that I will give them credit for 20s for every 13/4 specie that they will pay, and I will do this till the 20th of October. I am sorry to hear, that a report prevailed in Cecil, that you and Mr. Ogilvie had a hand in turning out of magistrates. I inquired of the governor about this business; he informed me, that neither of the delegates had any hand in it; that it was the council's own act. Of this I informed colonel Hollingsworth, who was well pleased that the report was without foundation.

A thin council have passed a most extraordinary account of the commissioners. The governor has dissented, and given his reasons, which, in due time, will come before the public. He has scored them deeply, not leaving out the Cecil member. They have received orders on the treasury lately for £. 2200. I am clearly of opinion, not one third of the money was due to them. The assembly had, by a resolution, directed that the intendant should pass their accounts before any more money should be drawn by them for commissions. But the office being abolished, the council conceives they had a right to pass the account and draw on the treasurer for the money. I said the council—there were only Wright and Kilty for it—Mr. Brice against it—the governor no vote. This in part reflects the reasons why the commissioners laboured so hard to get the intendant out of office, and this too accounts why they delayed settling their accounts, though repeatedly urged to do it by the intendant. Our public affairs are verging fast to confusion, and I fear general discontent will be the conclusion.

I am, &c.

D. N. of St. THO. JENIFER.

August 17, 1786.