

MARYLAND GAZETTE.

THURSDAY, NOVEMBER 16, 1786.

To the PRINTERS of the MARYLAND GAZETTE.

GENTLEMEN,

HAVING seen in your paper of the 12th of October, a very long and extraordinary piece under the signature of the late intendant of the revenue, I hope you will convince the public, by the insertion of this, that the learned author has not paid that regard to truth and candour which every man ought to do when he undertakes a public investigation of the conduct of others.

The first of these charges is contained in his fourth objection to the commissioners account, "that a quantity of coal and ore at the Lancashire works has not been accounted for in any manner to the state." If any person should be credulous enough to give credit to the writer, he must presume one of two things, either that the commissioner had disposed of a quantity of coal and ore, and had converted the money to his own use, or, that he had neglected to dispose of it, and ought for such neglect to be answerable to the state for the value.

what allowance ought to be made to the purchaser on account of their being carried away in consequence of the sale made by Mr. Russell. No coal or ore ever came to the hands of the commissioners but what they sold and accounted for. Let me now ask the impartial reader, whether the intendant's representation of this transaction is calculated to give him a proper idea of the subject, or, whether it is not calculated to raise prejudices against a fellow-citizen, who hopes he has never merited the bad opinion of his countrymen?

The other charge particularly levelled at me, and which has already been the subject of much misrepresentation, is, that I purchased property at the sale in Baltimore-town in April 1781, through the medium of captain Johns, and that I have refused or neglected to pay for it. A short recital of this transaction, which must be within the memory and recollection of many unprejudiced and reputable citizens, will clear me from the blame and censure which this indirect accuser has endeavoured to heap upon me. The commissioners were directed by an act of the general assembly, passed at November session 1780, to make sale of certain confiscated property in Baltimore town, at public auction; one fifth of the money to be paid in specie, and the remaining four fifths as mentioned by the intendant, to the best of my recollection. Antecedent to the passage of this act, a law had passed directing certificates to be granted to the officers and soldiers of the American army in the Maryland line, for the depreciation of their pay; and as a fund for the redemption of those certificates certain confiscated British property was specially pledged, and it was declared by the act, that those certificates should be received as specie for the property pledged for their redemption, and any other British property to be sold except that specially engaged to sink the new state bills of credit, and such as was or should be specially engaged for the security and payment of loans to be made to the state.

from determining on the contract, any of the purchasers were at liberty; if they determined to insist on a conveyance on the terms of making the first payment in certificates, to file a bill in chancery, or commence their actions for damages, by a day fixed in the act. The purchasers generally made tenders and filed their bill in chancery to compel a conveyance of the property, and so confident of success were several of the purchasers, that considerable and expensive improvements were immediately begun on the lots they had purchased. The certificates granted to me for the depreciation of my pay as an officer of the army were tendered for the first payment due for the purchase made by captain Johns for me, and the other payments were also punctually tendered as they became due, agreeably to the terms of sale, at the treasury; and as they were not received, a bill was filed in the name of Aquila Johns, to compel a conveyance of the lot he purchased, on the terms of the laws, agreeably to the construction which they generally received. This bill was depending in the court of chancery until sometime in the year 1785, and there being no prospect of a speedy determination, and as the matter in dispute ceased to be an object, I directed the suit to be struck off, and paid the costs. Soon afterwards a suit was ordered against Aquila Johns, to recover payment for that property which he had been endeavouring for years to obtain a title to from the state upon the terms upon which it was sold. To me it appears strange and unjust that the state should have a right to withhold property and declare a sale void when the bargain was thought to be advantageous to the purchaser, and that afterwards, upon a change of circumstances, when the bargain became advantageous to the state and disadvantageous to the purchaser, the state should then have a right to declare the sale valid and compel the purchaser to take and pay for the property. As this question must hereafter receive a legal or equitable discussion, I shall not now enlarge upon it.

I have now endeavoured to state, in the simple language of narration, the circumstances and facts which attend the two charges which have been aimed particularly at me; and I cannot help felicitating myself, after every scrutiny has been made, and after so much clamour has been raised, and so many unjust and ungenerous insinuations have been sent abroad against me, that when direct charges are exhibited, they are so trifling, feeble, and void of foundation. The intendant, in order to give such a complexion as he wished to this purchase, has represented it as a concealed and secret piece of business. The fact is otherwise, and he knew it years ago from conversation between him and me. He afterwards asks, with great apparent meaning, why was not this property charged to the true purchaser? And why was not the money paid agreeably to the terms of sale? In answer to the first question, I shall inform the gentleman, if he is really as ignorant as he pretends to be, that the commissioners could not convey property to one of themselves, but it must be done through the medium of a third person, who ought to appear to be the purchaser. To the second, that the money was, agreeably to the terms of sale, punctually tendered to the treasurer and refused. The intendant, as if he supposed these questions unanswerable, with a degree of triumph, asks a third, can there be any reliance on accounts after instances of this kind of management are discovered? This is a question not for me to answer; I shall therefore in my turn take the liberty of asking one, and leave the answers to both to be made by the candid and unprejudiced reader. Can any confidence or reliance be placed in the representations of a man, who knowingly conceals some facts, artfully glosses over others, and designedly combines and states the whole in such a manner as is most likely to deceive the reader, and make such impressions as are most favourable to his own views? I am aware that a clamour has been raised against me I have been represented as the defaulter of thousands of the public money; and that by my speculations in public property, I have made a fortune. There is not one word of truth in these base assertions. I received for my private property, which I sold before I was appointed a commissioner, specie to the amount of near three thousand pounds, a considerable part of which I risked in exchange for the paper emission of the state at its then passing value, being much depreciated. If it was a crime to put confidence in the laws and solemn engagements of the state, it must be confessed that I was an avowed criminal. I afterwards, from the same confidential motives, exchanged a considerable part of that paper for the specie certificates issued by the state, and to my great mortification and disappoint-