

MARYLAND GAZETTE.

T H U R S D A Y, APRIL 12, 1787.

*"Defrey his sb or soppistry, in vain,
as The creature's at his dirty work again."*—

To DAN. of St. THO. JENIFER, Esquire.
S I R.

IF you are such an object as would disgrace the dignity of revenge, I shall content myself with exposing your character and principles to the contempt and detestation of mankind. Your last attack, which you affect to have written with a design to prevent the deception intended by my groundless assertions and fallacious reasoning, is a more complete piece of falsehood and misrepresentation than any you have hitherto published. You have thought proper to drop the contest respecting the claim to commission. So let it rest. Deceived in argument, you are driven to your last resource—a general accusation of fiction, sophistry and misrepresentation. If you mean any thing more than a *chiding* of charges, of which you have been convicted by the most clear and indisputable testimony, let us examine how far you have succeeded in fact or argument.

In a former address*, I have stated fully the circumstances of the sale of Nanticoke manor, and furnished such extracts of the original sale and plots of the manor used by the commissioners at the sale, as would enable the reader to form a proper judgment on the subject. The publication alluded to contains a full refutation of every thing which has been, or can be said against the claim of commission on the resale of the manor; and proves, beyond the reach of a doubt, that the evidence offered at your precipitate *mock-examination* was not sufficient to induce any man of common understanding, who meant to discharge the trust reposed in him, to vacate the sale. By these papers, as well as by the extracts laid before the public, it evidently appears, that the witnesses sworn were mistaken; yet there is not the most distant insinuation in my reasoning on the subject against the integrity of the persons who were sworn. The little policy of this illiberal suggestion is easily comprehended.

To support your conduct in vacating the sale, and to prove that I have opposed fiction to fact, you have ventured to recite the instance of the sale to Doctor Wheeland. I have before referred you to the original sale, by which it appears that Dr. Wheeland actually did purchase lot No. 5; and although this fact is as well known to you as your existence, yet you answer, that "the only books you ever saw respecting the sale of this property, are the commissioners' sale-book and ledger †." And although the commissioners delivered to you the evidence referred to in the original sale, and you had it in possession at the time the sale was vacated, yet you would have it believed that they maintained a *perfect silence*, and did not discover the evidence in their possession, but kept it back as a ground of censure against you, or as a pretext for charging what you are pleased to style a *double commission*.—Again, when you are referred to the original sale for the quantity of marsh contained in lot No. 6, you answer "the specification of marsh supposed to be in lot No. 6, does not appear on either plot, and where I took it from you know not ‡." And when you are told that the papers referred to contain any particular proof, you reply, that it is not to be found on one of those papers. The character of the impostor is strongly marked in every sentence. Such mean shifts and pitiful evasions are denigrating to human nature. They are characteristic of the author, but they shall not answer his purposes of deception. Whichever way he turns, disgrace and infamy shall pursue him.

It cannot be pretended that the books you have mentioned, contain the evidence upon which you vacated the sale, because we are told in the same publication, that you did not see the entry until May 1786, which was more than a twelvemonth after the transaction; and you also assert in one of your publications, that you "went to the land, examined with the surveyor its location by the plots, &c." By your using the word *plots*, it is rational to suppose that you had the plots (or one of them at least) used by the commissioners at the time of sale; and you also tell us in the same publication, that "it was the obvious meaning of the act to authorise the intendants to inquire whether the purchasers could, by pursuing the plot used at the sale, get the property they really bought." But it is altogether immaterial whether you had the plot used by the commissioners

at the sale, or not. In either case your conduct is equally unjustifiable; because, if you had not this plot, you neglected to avail yourself of that information, upon which, according to your own admission, the law required and authorised you to act. Now, Sir, with the strictest attention to truth and candour, with my usual veracity, and without any mortification, I can assert that Dr. Wheeland purchased lot No. 5, and soon afterwards sold part of it to another person. The doctor having purchased the lot, whatever right Mr. Shaw acquired was from him, and not from the commissioners. The bonds were afterwards taken and the survey made conformably to the agreement between Dr. Wheeland and Mr. Shaw; and the entries in the sale book and ledger were made accordingly. If it was admitted that the purchase was made on the joint account of those gentlemen, still the objection is equally forcible and proper, that the sale ought not to have been partially vacated.

With your usual prostituted effrontery you have asserted, that the account stated by me* to shew the loss on the resale of Nanticoke manor, contains a calculation without the smallest attention to fact. I plainly perceive that you are base enough to deny any truth whatever, that you will assert any falsehoods however bare-faced and infamous, and that it is truly ridiculous to contend with a man so shameless and contemptible. This calculation, for the purpose for which it was made, viz. to prove that the state lost £ 2000 by the resale, I pledge my reputation and veracity, is just. After the repeated proofs which you have given us of your depravity, I should not be surprised, if, to answer your vile purposes, you should assert, that Our Saviour was a sinner, or that Satan is a saint.

To prove that I have been inconsistent in my remarks on this subject, and that I change my ground with great facility, you have made, in the first instance, a wilful misrepresentation, and, in the second, you are guilty of the treachery of misquoting my observations. It has been contended by me, that in the summer and fall of the year 1781, our affairs were in a critical situation, and that much depended on execution at that critical period †; and in reply to your puerile strictures on the conduct of the commissioners I observed that "that glorious event (alluding to the capture of the enemy at York) which filled the heart of every honest whig in the union with transports of joy and gratitude to the favour of our country, and which was matter of humiliation and regret to those who retained their attachment to the old government, and were ready to relinquish independence and return to their obedience to the mother country, was rather an inducement to the commissioners to proceed to complete the sales already begun, as directed by law, than to procrastinate that business. As trustees of the public they thought it a duty to embrace the most favourable opportunities to sell; and notwithstanding this signal success, the credit of the red money, for the redemption of which this property was pledged, was not established. If the sale of this manor had been postponed until after a survey, which, on account of its low swampy situation, could not have been made until late in the spring, when our bay was infested and threatened with pirates; we may justly conclude, that the amount of the sale would have been greatly short of the sum for which it sold shortly after our success at York ‡ for which it sold shortly after our success at York. It is intimated by you, that I had asserted that the time of the sale of Nanticoke manor was a critical period; but, that finding that ground not tenable, the British army having been taken three months before at York, I then tell you that "this glorious event, which put our affairs in a flourishing condition, was an inducement with the commissioners to go on with the sales while we were in this situation; for it was to be apprehended, if the sales were delayed until the succeeding spring, our bay would be infested and threatened with pirates §."—Thus it is that I am threatened with pirates †.—Thus it is that I am answered by what you call your argument. The reader will be able to judge how far I have changed my ground, and how far you have been guilty of deliberate treachery. In your own words, your line of conduct through the whole course of this dispute must be obvious. "Misrepresentation, fallacy and sophistry, lead the way;" and "if reasoning from facts will not serve your cause, there is nothing left for it but to make facts, and reason from the fiction," and though you are perfectly disposed to deceive, you are such a blunderer, that the impostor is easily detected, such an intended effect is not produced.—Such are your facts, such your reasonings; and such your just animadversions.

Your charges, of fiction, inconsistency, and misrepresentation, against me, rest upon your own assertion, and are refuted by undeniable facts. In the course of this dispute, I defy you to fix any charge of either upon me; and I can venture to assert, that it cannot be proved that I have been mistaken in fact but in a single instance, which has been satisfactorily explained. The most malevolent and malicious cannot suppose that the mistake was intentional, as I was speaking with allusion to a fact which was notorious,—that the sales made by the intendants are very low in comparison with those made by the commissioners.

The conclusions which you made from the petition and remonstrance preferred by Mr. Hoilyday and me, and your conjectures respecting the motives which induced us to offer them to the legislature, are unworthy of notice. The remonstrance and petition were for themselves, and if you had published them without your false glosses and comments, any observation from me would have been unnecessary. If words have any meaning, I remonstrated against a second sale being made; and the principal motive which induced me to address the legislature, was to prevent the loss which the state must have sustained if the report of the committee of supply had been passed into a law as it then stood. By this report if the delinquent purchasers did not give bond by the first of April, 1785, the sale was to be declared void and a resale made. Hence it would have been optional in the purchaser to give bond or not, and it is so stated in the remonstrance. You say that our design was not to give information to prevent an injury to the state, because no information is given by either which the assembly could be supposed ignorant of before the applications were made. But this assertion is directly contrary to truth. The information in the house of delegates was, that the delinquents were in general a poor set of men, insolvent in their circumstances, and unable to pay for the property purchased. This is contradicted by the remonstrance, which states, "that the greater part of the property which remained unbonded was in possession of some of the most opulent men in the state, who were well able to pay for it." I have every reason to believe, that the information given by me had weight with the delegates, because the resolution which had passed the house in the report, was rejected when the bill was taken into consideration. And I again assert, that the discretionary power vested in the intendants of the revenue to direct a resale in case of inability in the purchaser to pay, was not given by the resolve alluded to, but was inserted in the act by way of amendment, long after the remonstrance was preferred.

You have asserted, with your usual veracity, that I had made a report and amendment which never did exist; but the man who is destitute of honour and principle, and regardless of his own reputation and veracity, will assert or deny any thing. I appeal to the journals for the truth of what I say; and if you will examine them more minutely before you make assertions, you will find that a question was put and carried, by which the purchasers were to be compelled to a compliance with their contracts*. This was however amended in a private way, and the act was finally passed giving the intendants the discretionary power just mentioned. Now, Sir, are you not well acquainted with a *hardened veteran*, who has made many *bolder passes* than my assertion respecting the report and amendment?—To countenance your conclusions and conjectures, you lay hold of a single expression, which conveys nothing more than the supposed intention of the framers of the resolution in the report, to destroy every other part of the remonstrance. If it had contained such ambiguity that the opinion entertained by me at the time, could not be fairly collected, the respectable testimony which has been offered, must be perfectly satisfactory. I well knew, that no law which the legislature could pass would destroy the right to commission, but apprehended, as I have said before, that a tedious suit in chancery might be necessary.

It is now not denied that the commissioners applied to the purchasers at divers times after the sales were over to obtain their bonds; but it seems the charge was of a different nature;—that they ought to have demanded bonds immediately on the sale being made. I understood your charge perfectly; and if you mean now to assert, that bonds were not demanded immediately on the sale being made, this your charge is equally false and infamous. The absurdity of your opinion that the sales ought to have been declared void, and a second sale made, has been already sufficiently exposed †.

* This Gazette January 4, 1787.

† This Gazette 1st March last.

‡ This Gazette 22d March last.

§ Gazette 7th December last.

* Gazette 4th January last.

† Gazette 26th October last.

‡ Gazette 1st March last.

* November session 1784, page 66, 67.

† Gazette 26th October, and 4th January, last.