

By a resolution of the general assembly at November session 1784, the intendant was directed to pay the interest due on certificates liquidated agreeably to the act of May session 1781, and the act of November session 1782. By another resolve of the general assembly of the same session, the intendant was authorized to repair the governor's house and the roof of the stadthouse.

It is evident from these acts and resolutions, that the intendant was authorized to receive and pay very large sums of public money, and it may readily be conceived, that if he had placed the money in the treasury, he could not have executed the express intention and direction of the legislature, or complied with his personal contracts and engagements; because as the money might have been drawn out by the public creditors, who from time to time had orders on the treasury, the intendant apprehends he ought not to be censured for adopting the only method that could secure the performance of the public engagements and his private honour. This method of conducting the business, so as to insure a certain compliance with the directions of the legislature, the intendant conceives is by no means liable to the objection made by the committee; for the check upon the intendant is equal by this mode to what it would be if the whole money was put into the treasury, and mixed with other public money. The law intrusts the intendant with the sale of property and receipt for such sales; then the sum of money charged to be received, must depend on the integrity of the intendant, whether the money stated to be received is put into the treasury with the other money, or kept in a separate chest. When once the money appears to be received, the intendant must shew the expenditure by proper vouchers, and all that he does not shew has been duly expended, remains a charge against him; and it will readily occur to the honourable house, that instead of the mode being desirable, the intendant has subjected himself to considerable risk, and perhaps loss, by his desire to comply with the direction of his constituents. In such a variety of transactions and payments made in small sums of money, charges have probably been omitted. The receipts of money are generally in large sums, and it is not likely that any of them will be omitted, unless it was wilful, and this cannot be presumed, both from the character of the officer, and because, if such a thing were to be attempted, he would always be liable to detection; the person from whom the money was received, when after called on, would produce a voucher for the money paid by him.

It was not the intention of the general assembly, that the money under the care and direction of the intendant should be kept separate from other public monies, why did they, by their resolve of April session 1783, direct that the intendant, out of the first money which should come into his hands, should lodge in the treasury a sufficient sum to pay the interest of money and the arrearages of the civil list; and by an act of November session 1783, cap. 37, direct that the intendant should lodge money with the treasurer to pay the journal of accounts.

4. The committee have also reported, that large bodies of confiscated lands have been sold by the intendant very low, and greatly to the loss of the state. To prove this charge, so injurious to the integrity, judgment or prudence of the intendant, the committee remark, that the land did not net 7/6 per acre, as it would have done if it had been declared *vacant*, and taken up by common or special warrants.

If the committee had been pleased to mention particular instances, it would have been in the power of the intendant, as it is in his inclination, to exculpate himself; the generality of the charge can only receive a general negation. The intendant sold lands of several descriptions, some with leases renewable for ever, some settled, and others not settled on; all these lands lying within manors and reserves, and which the intendant was directed by law to dispose of according to the circumstances of each. The intendant also sold some other land, that remained undisposed of by the commissioners for confiscated property. The intendant is willing that every sale be investigated, and as he is conscious, so he is bold to say, that he always consulted the public interest, and obtained the best price that could be procured, under the powers invested in and directions given him by law.

5. The committee remark, that the intendant exhibited to them a state of specifics, not reported by him.

This account of specifics mentioned by the committee was omitted to be copied; but the book marked B, folio 8, laid before the assembly, contains this account. The smallest omission could not escape the diligent search and critical discernment of the committee.

6. The committee have examined the intendant's account of the sales of D. Dulany (of Walter) his confiscated property, and report, that the intendant has charged the state with £. 56 14 10 commission more than he can have a fair claim to.

The intendant will not presume to question the abilities and skill of the committee in accountship, or their knowledge of charging commissions, but persuades himself, if they had formed a just opinion, and this mistake had been committed, that it would be imputable to error, and not to a desire to injure the state. The intendant admits he charged commission on the gross amount of the sales; but he conceives, that Mrs. Dulany, agreeably to her contract with the intendant, pays him the commission, and not the state.

Dr. Confiscated property, belonging to Daniel Dulany, son of Walter, in which Mrs. Dulany has her thirds.

To the intendant's order on the treasury, in favour of Bosley Wilson and others, for surveying,

To commission of  $1\frac{1}{2}$  per cent. on £. 11,349 13 2,

To Mrs. Dulany's  $\frac{1}{3}$  of £. 11,101 16 2,

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| 77   | 12 | 6 |
| 170  | 4  | 6 |
| 3700 | 12 | 0 |

To