

EXTRA.

A VERDICT REACHED.

A Baltimore Jury Says John A. Denton is Guilty as Indicted.

CLOSING ARGUMENTS.

The Case Given to the Jury Late Friday Afternoon.

THE DEFENSE APPEALS.

THE GROUND GENERAL EXCEPTIONS TO THE STATE'S TESTIMONY.

Sentence of Three Years in the Penitentiary Suspended Pending the Appeal. The Traverser Released on \$5,000 Bail. Surplus Expressed by Many at the Result.—Mr. Denton Now at His Home in Ellicott City.

The Denton case was given to the jury Friday afternoon at 4 o'clock. After being out 25 minutes, a verdict of guilty was brought in. An appeal was taken by counsel for the traverser. Judge Wright announced that sentence would be three years in the penitentiary. Sentence was suspended pending the appeal. Bail of \$5,000 was demanded by the court. Counsel for prisoner stated that Messrs. George A. Howard, of Dayton, Howard county, and Senator John G. Rogers would be offered.

In his concluding argument Friday Mr. Gans said: "The case is narrowed down to two points which must be proved: First, that Denton received money as agent for the county commissioners; second, that he appropriated it to his own use.

"The receipt shows that Denton acted as the agent of Davis. The law makes his position that. The evidence of Sunderland and the collectors show this. We could stop right here and ask you for a verdict, but we don't propose to acquit him on a mere technicality.

"The second point rests on Davis' testimony. "Do the books show \$183.80 collected by Davis was appropriated by Denton? I asked Sunderland if there was any way of determining from the books whether or not Davis had paid in this particular item. He said no, because collectors paid in lump sums. He conceded that it might be in a lump sum of \$2,000 paid in September after the alleged embezzlement.

"The books of the county commissioners show for 1889, \$47,565.95 due from the collectors, but they further show that \$47,565.43 was actually paid in. We have to take the books as testimony. If the books are wrong, let us indict the county commissioners."

Mr. Gans then criticized Mr. Davis' testimony very severely and said that Davis didn't know what he collected in 1889. "Even if he intended to be honest he could not have proper recollection of his transactions. Denton's in giving Davis preference over not placing stocks on the latter's books. The object of this was that Davis might be given more stocks to collect than the other collectors and that these other collectors might not get wind of it. There's lots of politics back of this whole case.

"Whipps' testimony was straight and honest. It showed that Davis didn't know what he collected. "Mr. Gans then attacked Mr. Davis' character and said that the testimony showed that he had left tax returns aggregating \$22,398 out of his tax returns which returns he had sworn to.

"Davis has testified that there were no stocks on his book for 1889. Davis testified that he saw the stocks in Whipps' book. Who lies? Whipps has no motive to antagonize Davis. With the taxes on the property of Nathaniel Davis unpaid, the county books show that Wm. Davis over-paid what his tax book charged with his tax book by \$69.75. Davis said he supposed he had paid this out of his own pocket. Now whatever else Davis may be, he is no fool, and he is certainly not likely to spend his own money this way."

Mr. McGuire closed for the State. He began speaking at 2.5 and continued until 4 o'clock. His argument was exhaustive, able and at times impassioned. He inveighed vehemently against the testimony of Mr. Davis. He said that he had paid the money which Denton was charged with embezzling in cash over the counter and had indicted Denton in court.

Mr. McGuire read from the public general laws to show that the county commissioners have authority to raise and collect taxes, and argued that the title to taxes is in the board.

Taking up the question of the large quantities of scrip returned by Davis, that he said was quite natural, as the collector of the first collection district habitually took up the scrip with which the State's Attorney, county clerk and other public officers were paid.

"The court has admitted," said Mr. McGuire, "the evidence upon which at one time it looked as if I were going out of court. Therefore it is not necessary for me to argue the inadmissibility of the receipt which Denton gave for the \$183.80. It must be clear that the county commissioners have the title to county taxes."

Mr. McGuire argued exhaustively the various transactions in which he claimed the evidence showed Denton had been engaged as part of systematic fraud perpetrated upon the county. For 1889, he said, over \$100,000 of the taxable basis of Howard county in stocks had been placed on no collector's book.

In conclusion he said: "No corporation taxes went into Davis' pocket. The traverser retained all. Davis paid Denton in money, because, as the evidence shows, Denton didn't want checks, he wanted cash.

"Country people are not accustomed to the intricacies of business as are city people, and there is excuse for such mistakes as Davis and others may have made in good faith, believing in the integrity of a trusted official, a man who had borne a good reputation. Such mistakes were not as grave as those made by a man who had paid the taxes himself by his own authority and accepted checks not one of which had been legally endorsed."

The impression had become current that the traverser would be acquitted and expressions of surprise at the verdict were heard. Senator Rogers had gone home, and when informed of the verdict was much surprised. Mr. Denton returned to his home in Ellicott City Friday night.

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