

MARYLAND GAZETTE.

T H U R S D A Y, O C T O B E R 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 newspapers. 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 Ramsey, 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 in-

terest 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 scrutinised 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 well knew 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 Peterburgh, 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 instructed 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, Tunisians 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 conceived 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 explains 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.
 DdN. of St. THO. JENIFER.
 August 17, 1786.

of Naples warmly espouses the proposition; France and England have not yet given any answer on the subject.

ELIZABETH-TOWN, September 20.

By London papers as late as the 4th of August, received by the last packet, we learn, that his Britannic majesty was very near being assassinated by a woman, who, putting herself in a position, with a paper in her hand, as if to present a petition to his majesty as he alighted from his carriage at the garden gate of St James's, struck at him with an open knife, but missed her aim. It has put the whole nation in a ferment. The woman is said to be insane.— That Mr. Adams, our plenipotentiary at the court of London, has taken his leave and gone to the court of Madrid on private affairs.

On the 28th ult. the governor of the island of St. Bartholomew received advice that a war between Denmark and Sweden was inevitable, as a free passage of the Sound was demanded.

PHILADELPHIA, September 22.

Captain Lowry, of the schooner Happy Return, who arrived here the 7th inst. informs us, that on Sunday the 30th of July, on his passage from Georgia to Rhode-Island, in lat. 37 43. Chincoteague shoals bearing W. N. W. distant 7 leagues—he saw the bottom of a vessel, which appeared to have been a ship, burned down to the water's edge; a white bottom, head burned off; great numbers of staves washing out of the lower deck hatches overboard. The wind had been in the east and north-east quarter for three days before, which makes it appear that he had been burned a great distance from the land, and probably either from this port or New-York, bound to Europe.

Extract of a letter from Malaga, dated July 5.

“Mr. Lamb was not received by the dey of Algiers, and obliged to return without being admitted to a negotiation; however, this may take place hereafter through the interposition of the emperor of Morocco, who we find has at last concluded a peace with the American states, through Mr. Barclay, their agent.”

ANNAPOLIS, October 5.

The following is a true copy of the act of the United States in Congress assembled respecting the post office.

By the UNITED STATES in CONGRESS Assembled.

September 20, 1786.

ON the report of a committee, consisting of Mr. Pinckney, Mr. Dane, and Mr. Carrington, to whom was referred a letter of the 19th from the post-master general.

Whereas the United States in Congress assembled, are by the articles of confederation, invested with the sole and exclusive right of establishing, and regulating post-offices from one state to another, throughout the United States; and exacting such postage, on the papers passing through the same, as may be requisite to defray the expences of the said offices.

And whereas the present situation and demands of the post-office, will on no account admit the receipt of any other money than specie; the paper currencies of the several states from their limited circulation and probable depreciation, being totally inadequate to the purpose,

RESOLVED therefore, That the post-master general be and he is hereby directed to issue instructions to the post-masters in the several states to receive no other money in payment for postage than specie.

RESOLVED, That the post-master general be, and he is hereby empowered, in all cases, where he may conceive it necessary, to demand or authorise the demanding the postage, at the time the letters are put into the post-office.

September 30, 1786.

To be SOLD, at PUBLIC SALE, on Saturday the 21st of October, by the subscriber, at his dwelling, near the Governor's Bridge,

THE remaining part of the estate of Thomas Toft, deceased, consisting of horses, cattle, and household furniture, some looms, geers, and slays. The terms of sale to be made known on the day of sale.

All persons having claims against the estate are desired to bring them in, on or before the day of sale.

JACOB, administrator de bonis non.

Botterley, September 29, 1786.

On the first day of November next, will be offered for sale, at the subscribers seat in St. Mary's county, on Patuxent river,

SEVERAL young negro women, boys, and girls. Credit will be given; on bond and good security. Those negroes are sold for no fault, but the proprietor is overstocked.

GEORGE PLATER.

Charles county, September 20, 1786.

FOR SALE,

THE four following tracts of land, lying in Montgomery county, about twenty-five miles from George-town, and twenty from Frederick-town, viz. Conclusion and Number One, adjoining tracts, containing three hundred and sixty acres, about one hundred and fifty of which are cleared land under good fences; the improvements are, a good dwelling house, kitchen, barn, &c. and about four hundred bearing fruit trees. Part of Conclusion Increased, containing two hundred and twenty-nine acres, about eighty of which are cleared land, with a small log dwelling house, &c. and a few fruit trees; and part of Rich Land, containing three hundred and nineteen acres of unimproved land; the soil of the whole of these lands is well adapted for corn, wheat, or tobacco. Cash or tobacco will be taken in payment; one fourth to be paid by the first day of March next; three years credit will be given for the other three fourths, on giving bond on interest, with approved security. Any person inclining to purchase may see the land by applying to Mr. Baker Howard, who lives on the first mentioned place.

100/15/ BENJAMIN REEDER.

Prince George's county, October 2, 1786.

TO BE RENTED,

For one or more years,

THE plantation whereon I now dwell. Any person inclinable to rent it, may know the terms by applying to Mr. Benjamin Hall. Also negroes to hire.

1 MARGARET MURDOCK.

Annapolis, October 4, 1786.

ON Friday afternoon next, and Saturday following, will be shown, in the house belonging to Mr. Jacob Hust, adjoining the ball-house, a large collection of artificial BIRDS, of many different kinds; the price for seeing them is two shillings each person to be paid at the door; as they are well done, it is hoped, they will give satisfaction to the gentlemen and ladies, who would wish to see them. If any person is desirous to purchase them, the owner, perhaps, will part with them.

1X 00 7/6

October 3, 1786.

NOTICE is hereby given, that a petition will be presented to the general assembly, at their next session, praying that an act may pass, explanatory of that part of the charter of the city of Annapolis which relates to the residence of the electors or free voters thereof.

NOTICE is hereby given, that we intend to take the depositions of witnesses to establish the will of Notley Maddock, late of Charles county, deceased, and to establish our right to lands devised from him, on Monday the twenty-seventh day of November next, at the house of Robert D. Semmes, in Port-Tobacco-town, of which all persons concerned are desired to take notice.

17. H. H. H. HENRY MADDOCKE, NOTLEY MADDOCKE.

MRS. SMITH has opened a boarding school for young ladies in Annapolis; she teaches drawing, steel work, tambour, open work, embroidery, crowning, shading, netting, and a variety of fine works; likewise plain work, marking and reading. Mrs. Smith will teach her boarders writing and reading French, and she will pay the greatest attention to the health and improvement of the young ladies boarded with her.

September, 1786.

THE subscriber, not only long ago obtained a deed, which is not yet recorded, from Edmond Blades, then of Queen-Anne's county, for fifty acres of land, out of a tract called Long Range, formerly in Dorchester, and now in Caroline county, but also had a tract of land surveyed by the name of Casson's Meadows and Vacancy Added, which he has got no patent for, through neglect his recollection occasioned, he therefore intends to apply to the chancellor of this state, pursuant to the direction of a late act of our general assembly, in order to get his moral right to both the said parcels of land legally confirmed; neither is more than three miles from Choptank-bridge, and surrounding neighbours know what is now said about them, by

100/7/6 HENRY CASON.



TAKEN up as a stray, by Burford Cottre, in Charles county, a small dark bay MARE, about thirteen hands high, neither docked nor branded, appears to have been but little accustomed to riding, eight or nine years old, trots and gallops, has a long hanging mane and switch tail, both of which, as well as her legs, are black: she appears to be with foal. The owner may have her again on proving property and paying charges.

100/7/6

TEN POUNDS REWARD.

September 30, 1786.

RAN away, a few days ago, from the subscribers, living in Fairfax county, Virginia, two slaves, viz. DICK, a very lusty well made mulatto fellow, about 25 years of age, has bushy hair or wool, which he generally combs back, large features and eyes, a grum down look when spoken to, is a subtle artful fellow, well acquainted both in Virginia and Maryland, beats a drum pretty well, and has been formerly a waiting man; he took with him a light lead coloured country cloth coat with white metal buttons, a short green ditto, a white cloth waistcoat, a red ditto faced with black velvet, a round hat half worn, and common shoes and stockings; he ran away some time ago, when he worked on board a bay craft, by the name of Thomas Webster.

WAT T, a stout negro fellow, remarkably black, about thirty-five years of age, has lost some of his teeth before, which in some measure affects his voice, has had cross paths lately shaved on his head, to conceal which it is probable, he will shave or cut close the rest of his head, he is an artful fellow, has a down look, and seems confused when examined; he took with him a brown cloth coat, a pair of black breeches, and a variety of cloaths not known. They will perhaps change their names and pass for free men, and it is probable they may have a forged pass. They will probably make for the eastern shore, or for the state of Delaware or Pennsylvania. The above reward, or five pounds for either of them, will be paid for delivering them to the subscribers, or for securing them in any goal, and giving us notice, so that we get them again, and, if brought home, all reasonable charges paid. All captains or skippers of vessels, and others, are hereby warned, at their peril, from taking them on board or employing them.

100/11/3 GEORGE MASON, jun. GEORGE MASON, jun.

General Post-Office.

New York, September 9, 1786.

THE United States in Congress assembled having authorised the post-master general to contract for the carriage of the public mails, for the year 1787, from Portland in the state of Massachusetts, to Savannah in Georgia, by stage carriages, if practicable.

NOTICE is hereby given to the proprietors of stage carriages (and any other persons who may have it in contemplation to establish such) that proposals for the transportation of the mail will be received by the post-master-general, at his office No. 58, Broadway, New-York, at any time before the first day of November next, and that persons inclining to form a contract may be enabled to make their calculations with greater accuracy, they are informed, that

From May 1st to November 1st, the mail must be carried three times in each week, and from November 1st to May 1st twice in each week, to and from each post-office.

It is to be delivered at, and taken from each office at stated hours, convenient for the transaction of mercantile business, by a person who shall travel constantly with the mail, and whose express and sole business it shall be to take care of it. This person shall be employed by either of the contracting parties, as may be agreed, and shall carry a way-bill (to be returned to the general post-office) on which each post-master shall note, in writing, the time of the mail's arrival at and departure from his office.

In case of accidents happening to the stage, the mail is to be forwarded so as to reach each office at the stated hour, at the expence of the proprietor of the stage.

A reasonable time after the receipt of the mail by the post-master, is to be allowed for receiving letters and making up another mail to be forwarded.

A secure and convenient place in each carriage must be set apart for the reception of the mail, and appropriated solely to that purpose; this place to be well secured against rain and snow, and have a good lock and key.

The proprietors of the stages, and their drivers, as well as the person having the charge of the mail, are to be under oath not to carry, or knowingly suffer to be carried in their stages, any letters or news-papers but what they shall deliver into a post-office: the oaths of the said persons respectively to be returned to the post-master-general before the contracts commence.

Bond, with two sufficient sureties, to be given for the fulfilment, and penalties annexed to each violation of the contracts.

No joint contracts will be admitted; but each proprietor must contract separately for the distance his stages travel.

Portmanteaus and bags for containing the letters to be furnished at the expence of the United States.

The sums agreed upon for carrying the mails, to be paid in four equal quarterly payments; each payment to be made punctually at the expiration of each quarter.

The contracts to commence January 1st, 1787, and continue in force for one year.

And whereas the post-master general is authorised to farm the exclusive right of conveying the mail upon certain cross roads, to any person or persons giving sufficient security for the faithful transportation of the same, for a term not exceeding seven years. The following

CROSS ROADS,

Are now offered, for the above term, to all persons inclined to engage in such a speculation, from whom

proposals will be received on the 1st of October next. From Port Massachusetts. From Boston. From the city of Springfield. From the state of Connecticut. From the state of New York. From the state of Pennsylvania. From the state of Maryland. From the state of Virginia. From the state of North Carolina. From the state of South Carolina. From the state of Georgia.

The P. insert the above.

Nottingham.

P U

OF a very trust from his wife, to Thomas S. 1786, which Mr. Walter Fielder Bow having become Cox to Sam judgment ha against the p ment of wh Thursday th the next fair the following taining 190 containing acres; and making 499 2 to each other town of Not is very level and tobacco range for al support the convenient house, three all in but b fruit; part This land w separate; th the same tin of land, it Brooke Cox are, a good quarter, cor this tract a situation, an spring of got And on M if not the nex the following about 3 mil town, and 3 acres, on th fortable dwe and a passage chimnies, wi en, negro qu are also on former, a g and all ne variety of tenements; of corn; w veniently fr growing fru will becom on Thursda the highest slaves, conf also all the valuable ox ndance wi

I HER E cern, el general affe honorable particular Entrance, as to inclu vey.

propofals will be received until the 1st day of December next; viz.

From Portland to Pownalborough in the state of Massachusetts.

From Boston, in the state of Massachusetts, to the town of Concord in New-Hampshire, and from thence through Exeter to Portsmouth.

From Springfield, in the state of Massachusetts, to the city of Albany, in the state of New-York.

From the city of New-York, to Danbury, in the state of Connecticut, and from thence, by the way of Litchfield, to Hartford.

From the city of New-York to the city of Albany.

From the city of Philadelphia, to the town of Vienna, in the state of Maryland.

From the city of Philadelphia, to Bedford in Pennsylvania.

From the town of Baltimore, to the city of Annapolis in Maryland, and from thence to Leonard's town in St Mary's county, by the route of Upper Marlborough, Piscataway and Port-Tobacco.

From the town of Alexandria in Virginia, by the route of Leesburgh, Winchester, and Fort Cumberland, to Bedford in Pennsylvania.

From Bedford to the town of Pittsburgh.

From the town of Wilmington, in North-Carolina, to Fayetteville in the same state, by the route of Elizabeth-town.

From Fayetteville in North-Carolina, to Camden, in South-Carolina, and from thence to Charleston; and from Camden in South-Carolina, by the route of Columbia, to Augusta in the state of Georgia.

By order of the post-master general, JAMES BRYSON, Assistant,

The Printers of the several States are requested to insert the above in their news papers.

Nottingham, Patuxent river, Prince-George's county, September 15, 1786.

PUBLIC SALE,

OF a very valuable estate, by virtue of a deed of trust from Mr. Walter Brooke Cox and Anne his wife, to Fielder Bowie and Anne Cox, executrix of Thomas Smith Cox, bearing date the 9th of May 1786, which said deed of trust was made by the said Mr. Walter Brooke Cox, in consequence of the said Fielder Bowie and Thomas Smith Cox, deceased, having become security for the said Mr. Walter Brooke Cox to Samuel Hughes, Esq; and for which said debt judgment hath been obtained, and execution issued against the principal and his securities, for the payment of which, will be exposed to public sale, on Thursday the 14th of December next, if said debt is not the next fair day, on the premises, for ready money, the following tracts or parcels of land; Orchard, containing 190 acres; Quick Sale, 52; Part of Twiford, containing 108; Part Littleworth, containing 20 acres; and Good Luck, 39 acres; in the whole making 499 acres; all which said lands lieth adjoining to each other, and situate within half a mile of the town of Nottingham, on Patuxent river. This land is very level, and well adapted to corn, wheat, rye, and tobacco, and has the advantage of an extensive range for all kinds of stock, with wood sufficient to support the whole with care. On the premises are, a convenient dwelling house, kitchen, meat house, corn house, three tobacco houses, and two negro quarters, all in but bad repair, two small orchards of excellent fruit; part of this plantation is under good fence. This land will be sold as will best suit, together or separate; the title thereof is indisputable. At the same time and place will be sold, one other tract of land, it is the present residence of Mr. Walter Brooke Cox, containing about 128 acres, on which are, a good and convenient dwelling house, kitchen, quarter, corn house, &c. &c. There is likewise on this tract a great variety of fruits; it is a beautiful situation, and the soil good, and has a never failing spring of good water near the buildings.

And on Monday the 18th of December next, if fair, if not the next fair day, will be sold on the same terms, the following tract of land, in Montgomery county, about 8 miles from Bladenburg, 10 from Georgetown, and 35 from Baltimore-town, containing 517 acres, on this place is erected a convenient and comfortable dwelling house 38 by 28, with three rooms and a passage below, two rooms above stairs, and brick chimneys, with all necessary outhouses, such as kitchen, negro quarters, stables, and tobacco houses; there are also on this land, about half a mile from the former, a good dwelling house with stone chimneys, and all necessary outhouses; there are a great variety of fruit trees of all kinds on both these tenements; the soil is well adapted to the cultivation of corn; wheat, and tobacco, and as it is so conveniently situated to those several capital and improving trading towns, there cannot be a doubt but it will become very valuable in a few years. And also, on Thursday the 14th of December, will be sold to the highest bidder, nineteen valuable country born slaves, consisting of men, women, boys, and girls; also all the horses and cattle, among which are some valuable oxen, and all the plantation utensils. Attendance will be given on the days appointed, by

FIELDER BOWIE,
ANNE COX, executrix of
Thomas S. Cox.

3

Charles county, August 13, 1786.

I HEREBY give notice to all whom it may concern, that I intend to prefer a petition to the next general assembly of the state of Maryland, praying that honorable body to pass an act to correct and alter a particular course of a tract of land, called Crossman's Entrance, lying and being in the county aforesaid, so as to include the land purchased by warrant of survey.

JACOB WARE.

8 w

Charles county, September 19, 1786.
To be leased, for a term not exceeding three years, and possession given the first day of January next, THE subscriber's store-houses, at the head of Wicomico river, at present occupied by Messieurs Simms and Dyson. For terms apply to Walter Winter, Esq; of Charles county.

JOHN CAMPBELL.

Cornhill-street, Annapolis, September 18, 1786.
THE subscriber begs leave to inform his old customers in particular, and the public in general, that he has completely finished his house, as also built a large and elegant stable and coach house, and furnished himself with every other conveniency for the reception and accommodation of gentlemen in the private way; he therefore returns his sincere thanks to his old friends and customers for their past favours, and hopes for a continuance of the same, and assures them and whoever else may be pleased to lay their commands on him, that the greatest assiduity and endeavours to please will be exerted by their most obedient and very humble servant,

JOHN BREWER, sen.

September 15, 1786.

WANTED,

AN overseer who understands well the management of a farm, and conducting a number of negroes; it is also necessary he should be acquainted with the raising and care of flock. None need apply who cannot have the best of recommendations, and are well known for their activity, industry, and prudent management. Apply to the printer.

3 X w 3

Baltimore, September 19, 1786.

ALL persons who have any claims against the estate of the late Jonathan Hudson, deceased, are requested forthwith to furnish their accounts to the subscriber, as a general meeting of the creditors will be held at the house of Daniel Grant, on Saturday the 14th of October next, in order to take the most necessary measures for a settlement of the said estate.

MARGARET HUDSON.

September 19, 1786.

ALL persons indebted to the estate of Benoni Holliday, late of Anne-Arundel county, deceased, are desired to make payment to the subscriber, and those who have claims against said estate are requested to bring them in legally attested, to

RICHARD HOLLIDAY, executor.

Caroline county, August 15, 1786.

PUBLIC notice is hereby given, that a petition will be preferred to the next general assembly, praying that an act may pass for the erecting the public buildings of said county at Choptank Bridge.

Chester-town Races.

THE JOCKEY CLUB purse of SIXTY GUINEAS will be run for over a course near Chester-town, on Wednesday the first day of November next; and on Thursday the second, the residue of the subscriptions will be run for, the winning horse the preceding day excepted; the weights carried at both races will be agreeable to the rules laid down by the Jockey Club at Annapolis; any member of the club may start a horse, mare, or gelding belonging to any other person, provided he pays no consideration for the loan thereof, and is solely to receive the benefit of the plate if he should win.

The subscribers are requested to pay in their subscriptions to the secretary (Thomas Worrell) on or before the first day's race; the riders all to be properly dressed. The members of the club are requested to meet at the house of Edward Worrell, in Chester-town, on the day preceding the race precisely at twelve o'clock.

N. B. The first day's race will be four mile heats, and the second two mile heats.

Charles county, September 11, 1786.
NOTICE is hereby given, that the subscribers intend to petition the next general assembly of the state of Maryland, to give them a title in fee simple to the lands bequeathed them by William Coomes, late of Charles county, deceased.

WILLIAM COOMES, sen.
RICHARD COOMES,
CLARE THOMPSON,
WINNIFRED SMITH,
EDWARD MILES,
ELIZABETH SMITH,
SARAH GREEN.

Chester-town, September 5, 1786.
NOTICE is hereby given, that the subscribers intend to prefer a petition to the general assembly, at their next sitting, to pass an act to confirm and ratify a verbal contract between Isaac Spencer, lately deceased, and the subscriber Benjamin Roberts, relative to a part of a tract of land in Queen-Anne's county, called Crompton, and a mill and mill seat thereon, and also to empower the guardian of Isaac Spencer, son and heir of Isaac Spencer, deceased, to appropriate a part of the profits of his estate to complete the engagements entered into by his aforesaid father.

HANNAH SPENCER,
BENJAMIN ROBERTS.

Annapolis, September 13, 1786.

ALL persons indebted to the estate of colonel James Tootell, deceased, are earnestly requested to make payment by the 20th of October next, those that do not comply with this request will be dealt with, as the law directs, to November court; the demand against said estate requires our being thus urgent.

JAMES WILLIAMS, } acting
JOSEPH DOWSON, } administrators.

Several young likely negro women for sale. For terms apply to

JAMES WILLIAMS.

4

September 12, 1786.
THE members of the presbyterian society, near Bladenburg, Prince-George's county, intend to apply to the next general assembly of the state of Maryland, for leave to hold a legacy of £. 100 willed to them by John Brady, deceased, agreeable to the constitution.

3 X w 3

September 13, 1786.
LOST yesterday, on the main road leading from Broad creek to Port-Tobacco, within three miles or Piscataway, in Prince-George's county, a black leather POCKET-BOOK, with a depreciation certificate in it, signed by Zephaniah Turner, auditor-general; No. 4181, for £. 60 9 4 specie, and dated the 23d of June 1783. All persons are forewarned from receiving the same, as proper steps are taken to stop it at the treasury. The certificate was issued to Jason Jenkins, serjeant in the first Maryland regiment. Any person that should find it and will give me word so that I can get it again, shall receive a reward of eight dollars, paid by

JASON JENKINS, living near Piscataway.

State of Maryland, August 12, 1786.

NOTICE is hereby given, that I intend to petition the next general assembly of Maryland, praying a law may pass, authorizing and empowering me to erect and rebuild my water mill, in Talbot county, and state aforesaid.

JOHN HARDCASTLE.

Prince-George's county, August 27, 1786.

THE subscribers request all persons who may have any claims against the estate of Levin Covington, late of the county aforesaid, deceased, to send them in immediately, properly authenticated, as they intend to pass a final account on the said estate in October next.

SUSANNAH COVINGTON, administratrix,
LEVIN MACKALL, administrator.

2

September 22, 1786.

THIS is to give notice, that sundry of the inhabitants of Montgomery, Frederick, and Washington counties, intend to present a petition to the next general assembly, for one more inspection for tobacco, at George town, on Patowmack river.

8 w 2

THIS is to give notice, that I intend to prefer a petition to the next general assembly for an act to confirm my right to part of a tract of land, called Beall's Goodwill, the late property of Henry Hunter, deceased, which he devised to be sold.

THOMAS MORTON.

Port-Tobacco, September 16, 1786.

THIS is to give notice, that a petition will be presented to the next general assembly, that part of the main road which leads from Port-Tobacco to the old court-house, may be moved up a valley through the reverend Mr. Leonard Neale's plantation.

2

By virtue of a writ of *venditioni exponas*, from the general court of the western shore of the state of Maryland, will be exposed to public sale,

THE real and personal estate of Thomas Harwood, late collector of Anne-Arundel county, on Monday the 16th of October next. The sale to begin at 11 o'clock in the forenoon, for ready cash.

DAVID STEUART, sheriff of Anne-Arundel county.

September 5, 1786.

To be SOLD on the premises, to the highest bidder, on Thursday the 12th of October next, if fair, if not the next fair day,

A VALUABLE tract or parcel of land, lying in Prince-George's county, on the main road leading from the Governor's Bridge to Bladenburg, within six miles of said town, nine of Queen Anne, and twelve of George-town, called Arthur's Seat Enlarged, containing 232 acres, formerly the property of Jeremiah Belt, deceased; the improvements are, a new dwelling house 24 feet square, a framed tobacco house 60 feet by 32, with other necessary out houses, apple and peach orchard, with eight acres of meadow land now fit for the sith, and more may be made at a small expence; this land is level, well timbered and watered, and will suit either planter or farmer. Two years credit will be given, on bond with approved security. Further particulars will be made known on the day of sale, by

THOMAS RUTLAND, jun.

Negro shoes.

FIVE hundred pairs of the best quality, to be sold, on the lowest terms, by the subscriber, in London-town, who receives hides for tanning as usual.

EDWARD SEF ON.

N. B. They may also be had of Messieurs Abalom Ridgely, William Wilkins, James Weit, and John Wiseman, in Annapolis.

3



THERE is at the plantation of Thomas Rutland, near Annapolis, taken up as a stray, a black HORSE, branded on the shoulder and buttock something like D, has a hanging mane, twitch tail, a star in his forehead, and supposed to be about ten years old. The owner may have him again on proving property and paying charges.

2 X

TO BE SOLD,

At the PRINTING-OFFICE.

A HISTORY of the last session of assembly of this state, with remarks on the principal transactions. Price 3/9.

X

Annapolis, August 9, 1786.
WHEREAS Mr. Thomas Rutland hath thought proper to publish an advertisement forewarning all persons indebted for dealings at either of his stores in Virginia or Maryland, from paying any money to Mr. John Petty, in behalf of the firm of Yates and Petty, and has signed for the reason of such publication, that the said Petty had broken the award determined on by gentlemen mutually chosen to adjust their differences, I think it proper to inform the public, that the prohibition of Mr. Rutland is as unjust as his allegation in this respect is without foundation. The supposed breach of the arbitration arises in his opinion, as far as I can conjecture, on the suit commenced by Yates and Petty for the recovery of a very considerable balance due to them from Mr. Rutland, but a little reflection must convince him that his conduct in disposing of a considerable part of his estate, subsequent to the award, rendered this step absolutely necessary; and that Yates and Petty are fully justified in pursuing it, by the terms of the award made by the gentlemen appointed, of which all persons may be fully satisfied by applying at the store of Mr. Petty, in Annapolis. It is with concern that the subscriber finds himself under the necessity of entering into a public altercation respecting his private affairs, but should Mr. Rutland persist in his unjustifiable accusations, a full account of his transactions with and conduct towards Yates and Petty, will enable an impartial public to judge which of the parties has the greatest reason to complain of ill treatment.

The subscriber takes this opportunity of requesting all persons indebted for dealings at the stores (late Mr. Rutland's) in Virginia or Maryland, to make him immediate payment of their respective accounts, or he shall be under the necessity of making use of compulsory measures to recover the same, which will be very disagreeable to their

Most obedient humble servant,
JOHN PETTY.

In consequence of an advertisement of mine forewarning all persons, indebted at either of my stores in Virginia or Maryland, from settling any of their accounts with Mr. John Petty, that gentleman has been pleased to return for an answer, that my prohibition was as unjust as my allegation was without foundation; that it was with concern he found himself under the necessity of entering into a public altercation about his private affairs, and should I persist in my unjustifiable accusations, a full account of my transactions with, and conduct towards, Yates and Petty, would enable an impartial public to judge which of the parties had the greatest reason to complain of ill treatment. I would beg leave to inform the gentleman, that it is as disagreeable to me as it can possibly be to him to appear in the public prints, though, at the same time, very willing to appear any where to justify that conduct which I have and hope ever shall be able to reconcile to my own conscience. As he has now broached the matter, I insist on his laying before the public my conduct to Yates and Petty, and trust I shall be very easily able to confute any untruths he may expect to impose upon the public, by an open and candid denunciation of the same; that my prohibition is unjust, is an assertion as illiberal as 'tis ungrounded. I hope those gentlemen indebted as before mentioned, will pay no attention to Mr. Petty's request of paying their respective accounts to him, as it will only involve them in law suits, for I am determined to sue every person that has or shall pay any money to Mr. Petty (for dealings at either of my stores previous to the fourth of February) since the public notice I have given.

THOMAS RUTLAND.

ANNAPOLIS RACES.

THE Jockey Club PURSE will be run for over a course near Annapolis, on the second Thursday of November next, weights as usual, any member of the Club may start a horse, mare, or gelding, although not his own property, provided he pays no consideration whatever for the loan thereof, and is solely to receive the benefit of the plate, should he win. The members of the Club are desired to pay in their subscriptions for the present year to Mr. George Mann, on or before the first day of November next, and all those gentlemen who are in arrear are most earnestly requested to pay them up by that time. The members of the Club are requested to meet at Mr. Mann's the day before the race, precisely at twelve o'clock.

Annapolis, July 27, 1786.

Lands for Sale.

THE subscriber has for sale all that tract of land called Beall's Plantation and Snowden's Reputation Supported, containing about 700 acres, situated on the head of South river, about three miles from navigable water, and contiguous to the estate of Mr. Richard Hopkins, of Gerard.

This is a most eligible situation, being about twelve miles from the city of Annapolis, twenty-eight from Baltimore-town, twenty-four from George-town, and seven from the inspection houses of Indian Land and Queen-Anne, is well adapted for corn, wheat, and particularly tobacco, also well timbered and watered, a very good mill stream runs through it; there is some meadow ground, and much more may be made.

The improvements upon it are, a good dwelling house with three large rooms on each floor, kitchen, quarter, cornhouse, stables, tobacco house, a very fine apple orchard, together with a number of other valuable fruit trees.

Mr. Richard Hopkins will shew the premises above mentioned; further particulars may be had of the promoters, of Messieurs William Patterson and brothers, Baltimore, or of

JOHN WADDINGTON, in Philadelphia.

Cecil county, July 31, 1786.
NOTICE is hereby given to all whom it may concern, that I intend to petition the next general assembly of the state of Maryland, for an act of intolvency to discharge my person from imprisonment for debts which I am unable to pay.

WILLIAM BROWN.

A few Copies of the
L A W S
 Of the last Session,
 And
The VOTES and PROCEEDINGS
 Of both Houses,
 To be sold at the Printing-
 Office. //

Annapolis, September 7, 1786.

To be LEASED, for the term of eight years, from the 30th of November next,

TWO houses, with a vacant lot of ground, situate in a very convenient part of the city, and fit for either a public or private family. Any person inclinable to lease, may apply to Mr. THOMAS WYNDHAM, constable of this city, who will treat with any person of character for the same.

FIVE POUNDS REWARD.

Upper Marlborough, Prince-George's county, September 12, 1786.



RAN away from the subscriber, on the 4th of June, a negro man named CHARLES, twenty-five years of age, a short thick fellow, about five feet six inches high, has a short flat nose, a very bushy head of hair, thick lips, with a lump on the upper one, he is a handy fellow, and works well at the whip saw; had on when he went away his common working dress; I have reasons to believe he has other cloaths with him, but cannot particularly describe them, therefore he probably may change his apparel. As I purchased him of Notley Young, Esq; on Patowmack, I apprehend he is lurking about in that neighbourhood. Whoever takes up and secures the said fellow, so that his master may get him again, shall receive if above ten miles from home thirty shillings, if out of the county forty shillings, and if out of the state the above reward, including what the law allows, paid by

WILLIAM BOWIE, jr.

Annapolis, September 11, 1786.

House Building.

WE, the subscribers, will undertake to erect or repair any building, finding materials and labour, or labour only, as may be most agreeable to those who please to employ us; also to design, estimate, measure and survey any building, and make out bills of scantling, &c. &c. in an expeditious and neat manner, and on reasonable terms.

EDWARD VIDLER, ROBERT KEY.

THERE is at the plantation of



Walter Evans, on the north side of the eastern branch of Patowmack river, taken up as a stray, a dark bay FILLEY, about four years old, fourteen hands high, neither docked or branded, has a black mane and tail, and the rear hind foot white. The owner may have her again on proving property and paying charges.

FORTY SHILLINGS REWARD.

Annapolis, August 15, 1786.



STRAYED from the subscriber, about six weeks or two months ago, a black GELDING, aged about thirteen years, fourteen and a half hands high, with a switch mane and tail, his two hind and one of his fore feet white as high as his fetlocks, many white hairs are mixed with the black on his flank, also at the root of his tail; his head is rather large in proportion to his other parts. Whoever delivers the above horse to the subscriber, or will give information of him so that he may be had again, shall receive the above reward.

NICHOLAS CARROLL.

George-town, August 29, 1786.

THE inhabitants of Montgomery county intend to present a petition to the next general assembly, for two inspections of tobacco, at George-town, in the said county.

Anne-Arundel county, August 17, 1786.

NOTICE is hereby given, that the subscriber intends to petition the next general assembly to confirm the devise made to her by the will of her late husband, John Mercer, deceased, to her and her heirs for ever.

SUSANNA MERCER.

Alexandria, September 13, 1786.

THE ALEXANDRIA JOCKEY CLUB races commence on the second Tuesday of October next.

S. CLARK,
 Bookfeller, Stationer, and Book-
 binder,

In Church-Street, Annapolis,

Has just received the following books:

CONSTITUTIONS of the United States, Gibson's Surveying, Salmon's Geogra. Grammar, West's Mathematics, Ferguson's Astronomy, Ladies and Gentlemen's Astronomy, Swan's Architect, Philosophical Dictionary, New Dispensatory, Martin's Philosoph. grammar, Moor's Navigation, Rochefocault's Maxims, Bolingbroke on the Study of History, Chapoon's Letters, Young Clerk's Magazine, Scot's Recueil, Junius's Letters, Hume's Dialogues, More's Essays, Witherpoon on Money, Mair's Book Keeping, Art of Speaking, Goldsmith's Essays, Mawe's Garden Calendar, Freneau's Poems, Purves's Attempts, Cullen's First Lines, Cook's Last Voyage, Cox's Travels, Latin and English Dictionaries of all kinds; Latin, Greek, and French Grammars; Bibles; Testaments and Spelling Books, &c. &c. &c.

Annapolis, August 16, 1786.

THE subscribers finding that no attention has hitherto been paid to their former advertisement, once more request that those indebted to them for dealings at their stores will come and settle their accounts immediately, which will prevent further trouble. They have on hand a pretty good assortment of goods, suitable to the present and approaching seasons, which they will dispose of upon reasonable terms, by wholesale or retail, either for cash or good bills of exchange.

CHARLES and WILLIAM STEUART.

May 25, 1786.



STRAYED or stolen from the subscriber, on Friday night last, a bright bay MARE, near fifteen hands high, with a small snip on her nose, a hanging mane on her near side, part of which was cut some time ago and occasions its standing upright, a switch tail, she paces, trots and gallops. Whoever brings the said mare to the subscriber shall have four dollars, if taken up at any distance from town shall have eight dollars reward, and reasonable charges, paid by

CHARLES STEUART.

Doden, March 21, 1786.



RAN away from the subscriber, on the 17th instant, a dark mulatto man named TONY, thirty-five years of age, a stout thick fellow, about five feet four inches high, by trade a Sawyer; had on when he went away, a short white cotton jacket and trousers, a pair of country made shoes and stockings; he probably may pass as a person permitted to hire himself, and now looking out for work, but no such permission is granted him. Whoever takes up the above fellow shall receive three pounds reward, and reasonable charges if brought home from a distance.

WILLIAM STEUART.

FOR SALE,

Agreeable to the last will and testament of John Macgill, late of Frederick county, deceased, **PART** of that valuable tract of land, formerly the property of the late rev. James Macgill, deceased, of Anne-Arundel county, situated on Elk Ridge, called and known by the name of Athol Enlarged, containing upwards of four hundred acres, it lies level, well wooded and watered, fit for planting or farming, has some meadow, and more may be made with a trifling expence, it is very healthy, and as pleasantly situated as any in the county; there is a log dwelling house almost new 30 feet by 20, with a good stone chimney in the middle, with a fire place on each side, fit for overseer and servants. It will be sold at public sale, on the premises, on the second Monday in October next, if fair, if not the next fair day after. Attendance will be given by the subscribers the Friday and Saturday before the day of sale, to shew the land to any gentlemen that have a notion of becoming purchasers.

JOHN MACGILL, PATRICK MACGILL, } executors.

P. S. There are about 150 acres cleared and under good fence. Cash or goods will be taken for the above mentioned land, and reasonable credit given.

MARYLAND GAZETTE.

T H U R S D A Y, O C T O B E R 12, 1786.

To GABRIEL DUVALL, Esquire.

S I R,

THE justice due to a character, at least as valuable as that of any of the commissioners, requires that I should answer your address in the last week's paper, which I shall do without entering so far into the spirit of altercation, as to stain my paper with those terms of gross and ungentlemanly abuse which make up the greatest part of your performance, and which you seem to suppose will supply the places both of fact and reasoning. However provoked men may be, yet as the public can scarcely be supposed to feel their passions, it is both silly and indecent to stuff a publication with effusions of the writer's rage or malevolence.

The letter which you refer to was written by me to a gentleman who was a member of the last house of delegates, and who attended at the last session of assembly, and was well acquainted with most of the attempts to injure the late intendant, and the manoeuvres to discontinue the office. A copy of the letter was obtained, as I am informed by this gentleman, without his privity or consent; how it came to your hands I know not. I mention this fact, not because there is any thing in this letter which I wished not to be disclosed, but to shew that your assertion, that I had taken uncommon pains to circulate its contents, is not well founded; unless, indeed, a copy of a private letter surreptitiously obtained by some person who has communicated it to you, and your publication of it, is proper evidence to prove that I had circulated its contents. The copy which you have published is truly taken from the original letter now in my possession, except the leaving out a word or two of little import, and substituting at the end of the letter the word conclusion instead of consequence; mistakes probably owing to the hurry in which the copy was taken. I admit the justice of your remark, that when any matter is spoken of, and particularly when the characters of men are involved, the speaker ought to adhere to truth, but cannot help regretting that this precept, instead of having the weight it deserves with the preceptor, is left to struggle against a multitude of examples directly opposed to it, and this being the case, I fear it may lose much of its influence with the rest of mankind, for whose benefit your discovery of it was certainly published.

You charge me with having calumniated the commissioners, by asserting those things for facts, which I knew to be false, and with having uncandidly suppressed some things which ought to have been communicated. The best way to come at truth, is to state the several parts of the letter, and to examine the evidence and reasoning upon each part, that the mind may not be diverted by a multiplicity of matters from drawing just conclusions upon each part. It is asserted that "a thin council had passed a most extraordinary account of the commissioners." The first part of this assertion is not denied, there were only three of the council attending, which is as thin as it could be to make a board. My reasons for asserting that the account was of a most extraordinary kind were, first, that a double commission, amounting to £. 1786 16 10, was charged by the commissioners (if I rightly understand Mr. Richmond's report of the case to the governor and council) on property by them sold for £. 35757 15 9; when by law they were at most entitled to half that sum only on the sale of the property; a charge of double commission on business finished but once will readily be admitted to be extraordinary; it is altogether out of the common course of business; in the present instance I presumed to think the charge illegal and unjust. The commissioners were directed by sundry laws to sell confiscated property, in most instances upon credit, in many the lands to be sold were to be laid off in convenient lots. In all cases where sales were made on any length of credit, bonds with proper security were directed to be taken and lodged with the treasurer; as a reward for these services the commissioners were allowed two and a half per cent. commission; they were prohibited to sell property unless they were satisfied it belonged to British subjects and was confiscated. The commissioners, acting under these laws, sold property to a great amount, and did not take bonds for a considerable part of it as required by law; they sold property, particularly Nanticoke manor, without having the land properly laid off so as to ascertain what each purchaser bought. The commissioners sold property where the state's title was disputed, and where there was reason to suppose the claims set up to it were not without foundation.

The general assembly at the fall session 1784, being applied to by some of the purchasers of Nanticoke manor, to be released from their purchases, alleging and proving that the land which they supposed they purchased, and which was pointed out to them at the sale, would not be comprized within the limits delineated upon the plot made use of by the commissioners. The house of delegates passed a bill authorising the intendant to inquire into the circumstances, declare the sales of this property void, and to resel the land. The house of delegates also by a bill to establish funds, &c. directed that where bonds had not been taken by the commissioners, the intendant might sue the purchasers, or declare the sales void and resel the property; and also, the intendant was directed to sell all confiscated property not sold by the commissioners; for these services he was allowed one and a half per cent. To the best of my recollection both you and Mr. Hollyday remonstrated against the passage of these bills, alleging that you were not blamable on account of bonds not being taken for the property sold, and that there was not time to survey Nanticoke manor, and suggesting that if the bills passed in the manner as framed by the delegates, that you would lose the commission altogether on sales that you had made, although in making these sales you had considerable trouble and incurred some expence. I state the substances of your memorials from memory, not having been able to get them; if I am mistaken it may be shewn by producing them. The senate proposed to amend the bills in the particulars objected to, upon the principles, as I was informed, that unless they were altered the commissioners would not be entitled to any commission on the first sales, or if commission should be given them on those sales, that the intendant would also be entitled to a commission on the resale, and so the state be charged with double commission, and also that it was but just that the commissioners should have an opportunity of finishing such part of the business as they had begun, and draw their commission when the business was completed; the bills were accordingly amended, and the commissioners were directed to resel instead of the intendant. No commission is allowed the commissioners on the resale by any law or resolve that I can find or ever heard of. Upon what ground is it then that this charge is made? The intention of the legislature must decide the question as to the legality of the charge, principles of justice must determine the equity of the claim. The resolve authorising the charge of two and a half per cent. commission never can be fairly set up to warrant the charge upon a resale; because the commission was only given upon completing the business according to law, and because, if the legislature intended a commission on resales, strong inducements to negligence were given to the officers who were to make the sales, for if upon every resale, a new commission was to arise to the same officers, it would be obviously the interest of the officer to multiply sales, and of course not to finish the business. In some of the laws bonds were directed to be given by the purchasers immediately, and of course the sales were void unless this condition was complied with; was it ever supposed that upon a second sale a new commission was chargeable? If the double commission was not expressly given by the first resolve, can the charge of it be supported by a fair construction of the acts above referred to? If the legislature had intended a commission upon the resales, they certainly would have mentioned it; their silence shews they intended none should be paid, except what the commissioners would have been entitled to had the business been completed under the first sales; it may be said they knew the resale implied a new commission, and therefore it was not necessary to repeat what followed of course. I answer that this cannot be, because if the legislature had intended any commission, they would have given them less than two and a half per cent. The intendant, for sales made by him and completed, was entitled to one and a half per cent. this was thought adequate for his trouble, and the same commission would have been given to the commissioners by the first resolve, had it been in the view of the legislature that they would be paid in specie, for it must be remembered that the very high commission of two and a half per cent. originated when paper money only was in circulation, and was payable in red money, depreciated nearly two for one, or in wheat at seven shillings and six-pence per bushel, nearly double what that article sold for in specie. Instead of receiving what was about equal to one and a half per cent. specie, the commissioners have received five per cent. specie at least, upon the greater part of the property resold, and in some instances, according to my calculation, they have

received from ten to twenty per cent. specie, on the sum bonded for, the last sales being greatly below the first, and commission being charged on both. If the claim of double commission is not warranted by any express law, are there any principles of equity under which it can be supported?

It is admitted that the business was not completed—under the first sales.—Suppose this happened not by the fault either of the commissioners or the state.—Will any rule of conscience warrant the person who was to do the business in demanding as much for doing one half the work as if he had done the whole, especially as no kind of benefit resulted to the state from doing one half only; nay more, as the state lost considerably by it.—Suppose then the state, without a new bargain as to reward, ordered that the business should be begun again and finished; then would equity determine, that their new order gave a title to the reward stipulated for the first service directed to be done, and which was not finished, and also the same reward for the service last directed. I conceive in this case, as the reward first contracted for, was not earned, and no particular reward was stipulated by the second order, equity would consider the whole circumstances, and determine what was justly due, independent of stipulations for reward.—And I think it would not be doubted, that two and a half per cent. paid in specie, was an adequate reward for selling property in such large parcels twice, and taking bond once. The reward paid by the commissioners to the vendue-master, was very trifling compared to a commission of two and half per cent. on the amount of the sales.—It is said, the commissioners did their duty, and the state's interfering prevented them from completing the business under the first sales, and imposing a new duty, ought to pay a new reward; it is answered, that ample time had been given the commissioners to finish the business, or to take measures to compel purchasers to comply with their contracts, before the consolidating act passed; to point out the several causes why this was delayed, would lead me into a more minute detail than the compass of this paper will admit—should this argument be urged, I shall only remark at present, that as to parts of Nanticoke manor, it cannot be pretended that a resale was not of necessity, and that owing to the commissioners not complying with the law.—It was proved to the satisfaction of the delegates, that the lands which the purchasers thought they bought, would not fall to them by following the plot which was used by the commissioners.—If any additional proof was necessary to establish this fact, Mr. Hollyday's letter, dated 20th day of July 1785, desiring to be released from a purchase made by himself, because deceived in the location of the land (tho' he was both seller and buyer) would convince the most unbelieving, that the sale was made in the most confused manner. The commissioners did not charge commission on this property, bought by Mr. Hollyday, or on property bought by Mr. Sullivan, but a double commission is charged on other parts of this property which were resold.

The second objection to the commissioners receiving part of the money charged in their account is, that commission is charged on the sum of at least £. 35,000 which is not bonded, and it is doubtful, from various causes, whether the state will ever recover. To give one instance among many; Stephen Steward, and company, is charged with property to the amount of £. 4376 6 3. The commissioners don't know who Stephen Steward, and company, are, as you declare in your memorandum to me, dated the 27th of August, 1785. Stephen Steward denies having purchased the property, and the commissioners can't prove he purchased it, nor do they know who was the purchaser. Can the state recover the money under these circumstances? If the state cannot recover, whose fault is it? Yet the commission on the sale of this property is charged and paid. The third objection to the commissioners receiving the amount of their claim, is, that the commissioners were indebted to the state for property purchased, when the greater part of the commission claimed as the balance due them arose, and that therefore the account ought to have been settled, charging the commissioners with the property by them bought, and giving credit for their commissions, and striking the balance actually due them, or the state, as the case might be, and if their was a balance due the commissioners, it ought to be paid, if a balance was due the state, bond ought to have been given for such balance. This has not been done; but the commissioners have taken a credit for what was due by them to the year 1790, and call on the state to pay ready specie for the state's debt; by which means, if the commissioners, or any of them, owed the state for property sold by them £. 1000, and

mented any occasion, in which I was bound to condemn. I have also been obliged to defend my public character and conduct against the attacks of others; but this has not been done by censure and abuse, but by facts and arguments. When, indeed, pretences of regard to the public weal have been made the cloaks to gratify interested or vindictive views, I have never failed to expose the true motives of the assailants, and to detect their feigned pretensions to patriotism. You have said nothing respecting the first part of my letter, but as the whole is published, and this part also was misrepresented and censured by an advertisement of a friend to the commissioners, it may be proper to observe, that any offer of certificates to the purchasers of property in Cecil county, was made merely to accommodate them, and had it been accepted I could not have gained a shilling by it; the price at which the certificates were offered being the same that I gave for them; if they could be obtained by the purchasers of property upon better terms from others, my offer at least did them no harm. The advertisement above referred to was answered by an hand bill published by me.

I am your humble servant,
DAN. OF ST. THO. JENIFER.

October 11, 1786.

BOSTON, September 16.

Extract of a letter from a merchant in Sweden, to his friend in Boston, dated July 12, 1786.

"I AM sorry to inform you, that some late impolitic regulations, adopted by our government, against your flag, may tend to operate against the extension of our future connexions—regulations made at the request of a certain ambitious European power, which deprive you of the valuable privilege you have had, since the conclusion of the war, of entering your products in your own bottoms for home consumption or exportation, as markets might dictate. All goods entered here now, by your shipping, are subjected to an additional duty of forty per cent. which amounts to a total prohibition, as no commodity can bear it.

"You have, however, free access to our Porto Franco, Marstrand, from whence goods can be afterwards carried, in Swedish bottoms, to any port in the kingdom, at three and half to four per cent. of extra charges. If I may presume to advise, the wisdom of your government has been, and still is, deficient in political representation at foreign courts, whose dispositions to cramp your trade are not equivocal;—of this, the regulations mentioned above are decisive instances."

PHILADELPHIA, September 30.

A letter from an officer commanding at Fort Mifflin to a gentleman in this city, dated Fort Pitt, September 13, 1786, says, "Three men from Sandusky say the Indians are in general disposed for war, and that there are 700 warriors collected at the Shawona towns, and more are expected. That they were informed by two white men who had been there, that they had brought in 13 scalps and four prisoners, two men and a Mrs. Morr and daughter; the two latter they burned before the men, and told them that was to be their lot in a few days. The above persons say that the Indians are determined to strike at captain Hutchins, surveyor, and those with him, also at a settlement called Wheeling, about 170 miles from this; but general Clark, we hope, is ere this gone into their country with 1500 men, which will cut them out some other work than the butchering our defenceless inhabitants.

"I had almost forgot to tell you that the Indians say they will not disturb the whites, if they will confine themselves within the bounds of Pennsylvania, and on this side of the Ohio, and that they do not mean to trouble colonel Porter in cutting the line."

A letter from Washington, dated August 8, says, "I lately gave you some information of a rupture that was likely to happen between the Frankland people and the upper Cherokees.—Yesterday I heard that colonel Outlean with between three and 400 men, who flew to arms in an enthusiastic manner, in three days, marched near the banks of the Tennessee, where they were met by a number of the chiefs, who implored peace in a very submissive tone, and promised to give up the murderers in six weeks, who had fled to the Chickamoga, offering at the same time such a number of hostages for the performance of their engagements, as might be required.—Their terms were agreed to, and the men returned well satisfied."

ANNAPOLIS, October 12.

The following gentlemen are elected members of the house of delegates in the ensuing general assembly, viz. For Anne-Arundel county, Richard Harwood, Nicholas Worthington, Samuel Chase, and Brice T. B. Worthington, Esquires.

For Charles county, George Dent of John, Zephaniah Furner, William H. M'Pherson, and John H. Stone, Esquires.

For the city of Annapolis, Allen Quynn, and Thomas Jennings, Esquires.

For Baltimore-town, Jesse Hollingsworth, and David M'Mechen, Esquires.

* * * The DELEGATE came too late for this week's paper, but will be in our next.

Annapolis, October 9, 1786.

FROM this day the subscriber, intends to quit tavern keeping, and hopes all his old customers will call on him and pay off their respective accounts as he is in very great want of money; he would be very glad, such as cannot pay him would call and settle by note or bond.

He begs leave to inform the public, that he intends to keep a boarding house by the year, half year, quarter, month, week, or day, as reasonable as any genteel boarding house in town. Any gentlemen or ladies that will favour him in that way with their custom, may depend on his doing every thing in his power to oblige.

GILBERT MIDDLETON.

Bladensburg Races.

October 7, 1786.

TO be run for, on Thursday the 19th instant, at a course at this place, a PURSE of twenty-five pounds, free for any horse, mare, or gelding; heats three miles, carrying weights agreeable to the rules of the Jockey Club at Annapolis; and on Friday the 20th, a Purse of fifteen pounds; three mile heats, to carry weight for size agreeable to the rules of racing; and on Saturday the 21st will be run for over the same course, an elegant Saddle and Bridle, value 1 at ten pounds; two mile heats, to carry a leather. No horse will be allowed to start for the saddle and bridle that is more than half blood, and none but saddle horses, such as are kept for that purpose, and none that was ever known to start for twenty shillings. The horses to be entered the day preceding the race with Mr. Thomas Rose, and to pay one shilling in the pound entrance, or pay double at the pole, and with out three horses each day, no race.

October 9, 1786.

I INTEND to petition the next general assembly for restitution of, or compensation for, that part of my confiscated property which remains unsold.

JOHN SHUTTLEWORTH.

September 30, 1786.

To be SOLD, at PUBLIC SALE, on Saturday the 21st of October, by the subscriber, at his dwelling, near the Governor's Bridge,

THE remaining part of the estate of Thomas Toft, deceased, consisting of horses, cattle, and household furniture, some looms, geers, and slays. The terms of sale to be made known on the day of sale.

All persons having claims against the estate are desired to bring them in, on or before the day of sale.

SAMUEL JACOB, administrator de bonis non.

Sotterley, September 29, 1786.

On the first day of November next, will be offered for sale, at the subscribers seat in St. Mary's county, on Patuxent river,

SEVERAL young negro women, boys, and girls. Credit will be given, on bond and good security. Those negroes are sold for no fault, but the proprietor is overstocked.

GEORGE PLATER.

By virtue of a writ of *venditioni exponas*, from the general court of the western shore of the state of Maryland, will be exposed to public sale,

THE real and personal estate of Thomas Harwood, late collector of Anne-Arundel county, on Monday the 16th of October next. The sale to begin at 11 o'clock in the forenoon, for ready cash.

DAVID STEUART, sheriff of Anne-Arundel county.

Chester-town Races.

THE JOCKEY CLUB purse of SIXTY GUINEAS will be run for over a course near Chester-town, on Wednesday the first day of November next; and on Thursday the second, the residue of the subscriptions will be run for, the winning horse the preceding day excepted; the weights carried at both races will be agreeable to the rules laid down by the Jockey Club at Annapolis; any member of the club may start a horse, mare, or gelding belonging to any other person, provided he pays no consideration for the loan thereof, and is solely to receive the benefit of the plate if he should win.

The subscribers are requested to pay in their subscriptions to the secretary (Thomas Worrell) on or before the first day's race; the riders all to be properly dressed. The members of the club are requested to meet at the house of Edward Worrell, in Chester-town, on the day preceding the race precisely at twelve o'clock.

N. B. The first day's race will be four mile heats, and the second two mile heats.

Prince-George's county, August 27, 1786.

THE subscribers request all persons who may have any claims against the estate of Levin Covington, late of the county aforesaid, deceased, to send them in immediately, properly authenticated, as they intend to pass a final account on the said estate in October next.

SUSANNAH COVINGTON, administratrix,
LEVIN MACKALL, administrator.

Baltimore, September 19, 1786.

ALL persons who have any claims against the estate of the late Jonathan Hudson, deceased, are requested forthwith to furnish their accounts to the subscriber, as a general meeting of the creditors will be held at the house of Daniel Grant, on Saturday the 14th of October next, in order to take the most necessary measures for a settlement of the said estate.

MARGARET HUDSON.

ANNAPOLIS RACES.

THE Jockey Club PURSE will be run for over a course near Annapolis, on the second Thursday day of November next, weights as usual, any member of the Club may start a horse, mare, or gelding, although not his own property, provided he pays no consideration whatever for the loan thereof, and is solely to receive the benefit of the plate, should he win. The members of the Club are desired to pay in their subscriptions for the present year to Mr. George Mann, on or before the first day of November next, and all those gentlemen who are in arrear are most earnestly requested to pay them up by that time. The members of the Club are requested to meet at Mr. Mann's the day before the race, precisely at twelve o'clock.

Charles county, September 20, 1786.

FOR SALE,

THE four following tracts of land, lying in Montgomery county, about twenty five miles from Georgetown, and twenty from Frederick-town, viz. Conclusion and Number One, adjoining tracts, containing three hundred and sixty acres, about one hundred and fifty of which are cleared land under good fences; the improvements are, a good dwelling house, kitchen, barn, &c. and about four hundred bearing fruit trees. Part of Conclusion Increased, containing two hundred and twenty-nine acres, about eighty of which are cleared land, with a small log dwelling house, &c. and a few fruit trees; and part of Rich Land, containing three hundred and nineteen acres of unimproved land; the soil of the whole of these lands is well adapted for corn, wheat, or toacco. Cash or tobacco will be taken in payment; one fourth to be paid by the first day of March next; three years credit will be given for the other three fourths, on giving bond on interest, with approved security. Any person inclining to purchase may see the land by applying to Mr. Baker Howard, who lives on the first mentioned place.

BENJ. MIN REEDER.

Nottingham, Patuxent river, Prince George's county, September 15, 1786.

PUBLIC SALE,

OF a very valuable estate, by virtue of a deed of trust from Mr. Walter Brooke Cox and his wife, to Fielder Bowie and Anne Cox, executrix of Thomas Smith Cox, bearing date the 9th of May 1786, which said deed of trust was made by the said Mr. Walter Brooke Cox, in consequence of the said Fielder Bowie and Thomas Smith Cox, deceased, having become security for the said Mr. Walter Brooke Cox to Samuel Hughes, Esq; and for which said debt judgment hath been obtained, and execution issued against the principal and his securities, for the payment of which, will be exposed to public sale, on Thursday the 14th of December next, if fair, if not the next fair day, on the premises, for ready money, the following tracts or parcels of land; Orchard, containing 190 acres; Quick Sale, 52; part of Twiford, containing 108; Part Littleworth, containing 20 acres; and Good Luck 39 acres; in the whole making 499 acres; all which said lands lieth adjoining to each other, and situate within half a mile of the town of Nottingham, on Patuxent river. This land is very level, and well adapted to corn, wheat, rye, and tobacco, and has the advantage of an extensive range for all kinds of stock, with wood sufficient to support the whole with care. On the premises are, a convenient dwelling house, kitchen, meat house, corn house, three tobacco houses, and two negro quarters, all in but bad repair, two small orchards of excellent fruit; part of this plantation is under good fence. This land will be sold as will best suit, together or separate; the title thereof is indisputable. At the same time and place will be sold, one other tract of land, it is the present residence of Mr. Walter Brooke Cox, containing about 128 acres, on which are, a good and convenient dwelling house, kitchen, quarter, corn house, &c. &c. There is likewise on this tract a great variety of fruits; it is a beautiful situation, and the soil good, and has a never failing spring of good water near the buildings.

And on Monday the 18th of December next, if fair, if not the next fair day, will be sold on the same terms, the following tract of land, in Montgomery county, about 8 miles from Bladensburg, 10 from Georgetown, and 35 from Baltimore-town, containing 517 acres, on this place is erected a convenient and comfortable dwelling house 38 by 28, with three rooms and a passage below, two rooms above stairs, and brick chimneys, with all necessary outhouses, such as kitchen, negro quarters, stables, and tobacco houses; there are also on this land, about half a mile from the former, a good dwelling house with stone chimneys, and all necessary outouses; there are a great variety of fruit trees of all kinds on both these tenements; the soil is well adapted to the cultivation of corn, wheat, and tobacco, and as it is so conveniently situated to those several capital and improving trading towns, there cannot be a doubt but it will become very valuable in a few years. And also, on Thursday the 14th of December, will be sold to the highest bidder, nineteen valuable country born slaves, consisting of men, women, boys, and girls; also all the horses and cattle, among which are some valuable oxen, and all the plantation utensils. Attendance will be given on the days appointed, by

FIELDER BOWIE,
ANNE COX, executrix of
Thomas S. Cox.

Caroline county, August 15, 1786.

PUBLIC notice is hereby given, that a petition will be preferred to the next general assembly, praying that an act may pass for the erecting the public buildings of said county at Choptank Bridge.

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MARYLAND GAZETTE.

T H U R S D A Y, OCTOBER 19, 1786.

To the P U B L I C.

WHEN a man just entering into public employment, finds a set of intriguing politicians waiting for an occasion to decide on his principles, as suited or opposed to their views; when, having on a question of moment exhibited a firmness unfavourable to their designs, he becomes the object of virulent clamour and insidious misrepresentation; and when in spite of every endeavour to establish such an independence and consistency of character as might justify the confidence placed in him, a censure, armed with all the credit and influence of the highest rank and authority, is levelled at his conduct in office; the person so circumstanced, must either betray a mind void of sensibility and careless of reputation, or be supposed to subscribe to the charge, if he passes it unnoticed: to prevent either of these conclusions, I find it necessary to lay open to the public a late transaction, which has placed me in the situation I have described.

The final admission of claims against the state, having on the abolition of the intendant's-office, reverted to the executive board, the commissioners for the preservation and sale of confiscated property presented, in the beginning of April last, an account of pay and commission due for their services; which the auditor-general, after several days examination, had adjusted and passed in the following terms:

" Auditor's-office, 29th March, 1786.

" I have carefully examined all the accounts and vouchers of Clement Hollyday, Nathaniel Ramley, and Gabriel Duvall, Esquires, and find that there is a balance due to them of two thousand two hundred and twenty-four pounds eleven shillings and eight-pence farthing, arising due to them as commissioners for the preservation and sale of confiscated property, as per the foregoing account, including the commission of two and an half per cent on £35,757 15 9 twice charged; the property having been twice sold by them, under the orders of the late intendant and others, as appears by the memorandum herewith produced. But as it is a case which I do not consider myself fully competent to decide upon, I have not passed the account in such explicit terms as is usual with accounts audited in this office. However, I am of opinion, as the commissioners had the trouble of doing the business twice, without any apparent fault or mismanagement in the first instance, that they are entitled to receive both the commissions.

" C. RICHMOND, aud. gen."

The cautious manner in which the auditor spoke of the commission on the resales, naturally prompted the board to a deliberate examination of the subject; in the course of which, it was suggested by Mr. J. T. Chase, that the late intendant had objections to this claim, and having had a considerable part in the transactions of the commissioners, was well qualified to throw light on the question of mismanagement, upon which the merits of the account seemed to depend: he was further represented to be desirous of a hearing on the subject: it was therefore agreed to postpone the decision until a full inquiry should be had. Mr. Duvall, one of the commissioners, and then a member of the council, readily acquiesced in this disposition, requesting only that a day might be fixed for the purpose: repeated appointments were made, which severally fell through, by the absence either of Mr. Jenifer, or of some of the board. The commissioners, weary at length of these delays, pressed the council to take effectual measures for obtaining the proposed inquiry; they received the most positive assurances of a speedy issue to the affair. The 18th of July was appointed, and notice thereof given to Mr. Jenifer. It is here to be observed, that Mr. Duvall having in the interim resigned, Mr. Paca was selected to the vacant seat, who finding this business before the board, declared, that having prejudged the case, he could not, consistently with his idea of delicacy and propriety, sit in judgment on it. He was therefore understood to have positively declined attending the inquiry.

Meeting with Mr. Chase on the day preceding the proposed discussion, I expressed a desire that he would give his attendance; he told me, that being much engaged in the chancery court, he could not attend. As I really felt; so I will venture an appeal to that gentleman, that I discovered some anxiety to have his assistance on this occasion: the length of time which the affair had been depending, the numerous transactions to be investigated; and other circumstances, had clothed it with a degree of importance, which rendered me solicitous to have

the assistance of an experienced and able member: Mr. Chase's long standing at the board, and his professional knowledge, entitled him, with me, to this distinction: I therefore repeated my application, and proposed to send for him, if the council should be unwilling to act without him. He again declared it was not in his power to attend; and from that moment I considered him, as well as Mr. Paca, to have relinquished the examination of the commissioners account to the three remaining members.

Early on the appointed day, the governor, the council, and the parties, appeared. It is said by his excellency, that previous to the discussion, a question was put, whether it should be proceeded to, or delayed until there should be a fuller board: As this fact does not rest on my memory, I presume my manner of stating it will be excused; more especially as I am willing to admit it: certain I am, that neither the governor nor any member desired to have the business postponed. Mr. Jenifer, before he appeared, addressed the board in a letter, the purport of which was, to remind them of a resolution of the general assembly, directing that the accounts of the commissioners should be examined and approved by the intendant, previous to their receiving any further commission for their services; he wished to have the council's idea, whether in his present capacity, retained the authority vested in him by that resolution. I will be hardy enough to confess, that I found myself disposed to treat this application with the contempt which I thought due to a gross and designing attempt on the understanding of the board. I do not recollect that any answer was proposed; if there had, it must have been in language no the most respectful, to have obtained my concurrence. As I shall have occasion to speak of this resolution in another place, I shall dismiss it for the present; only observing, that at least a tacit negative was given to the question.

Mr. Duvall being told that the board were ready to hear him, addressed them in support of the charge of commission on the resales. Mr. Jenifer, in his reply, went far beyond what was supposed to be the object of the inquiry, and pursued a plan of crimination so extensive, that the board began to find themselves vexed by him with a jurisdiction foreign to the nature of their establishment, and reminded him, that it was not their province to investigate and decide on the characters of their fellow-citizens. As he insisted, however, that his observations all tended to establish the main point, viz. mismanagement in the commissioners, the council acquiesced in his mode of inquiry, which of course lengthened and changed the nature of Mr. Duvall's defence; so that it was not until the fourth day at noon that the examination was closed.

Mr. Jenifer, before he retired, reminded the council of his query respecting the resolution before mentioned; governed by the opinion I have already expressed, I asked him, if he could possibly think the board so inconsiderate as to give their attention four days to the inquiry, without being satisfied that they were authorized to decide on the claim: finding the rest of the board silent, he seemed to think himself answered, and dropped this very characteristic effort.

As it wanted something of the usual time of adjournment, and as Mr. Wright, who had attended the examination under great inconveniences, was anxious to bring the affair to a conclusion, some conversation was held, that seemed to lead to an immediate decision; which colonel Brice observing, declared that he was not perfectly prepared to give his opinion.—In addition to his doubts on the merits of the claim, he was not willing to determine the affair until he had seen the resolution mentioned by Mr. Jenifer.—It was therefore agreed to postpone the decision until the next day, in which colonel Brice's first mentioned difficulty was my only motive for concurring: for the resolution, in whatever terms it might be conceived, was out of the question with me.

I repaired the next morning to the council room, without a doubt on my mind that the matter would be immediately determined, and found colonel Brice and Mr. Wright there; the latter seemed very impatient for the governor's appearance, and at length talked of leaving the place, his family being then on board a vessel ready to cross the bay, and waiting only for him. I begged him to stay a few minutes longer, and went myself in quest of his excellency; not meeting with him, I returned to the council room; and found Mr. Wright's patience exhausted.—Colonel Brice, the senior member, seeing him on the point of quitting the board, asked if he should put the question on the account.—Being thus hemmed in between the indelicacy of determining a matter of consequence without hearing what the gover-

nor might have to offer, and the injustice, on the other hand, of delaying a decision which the parties concerned had every right to demand, I answered, that I wished his excellency to be present at the determination, and should therefore be far desirous it as long as Mr. Wright could be prevailed on to wait; but that I would not consent to his departure without finishing the business—he again agreed to stay a short time, and at length his excellency appeared. He brought with him the proceedings of the session of 1784, among which was the resolution referred to by Mr. Jenifer, who had by mistake stated it to have been passed at the last session.—The resolution was read, and unanimously determined to have become void on the expiration of the intendant's office, and at the same time the board received a letter from Mr. Jenifer, acquainting them, that he was convinced he could derive no authority in his present capacity from it. The merits of the commissioners account were now earnestly discussed between his excellency and Mr. Wright; and a wide difference was soon discernable in their opinions: The few observations which I dropped in the course of the debates discovered me to be inclined in favour of the account; Colonel Brice at length gave us to understand, that he had not yet made up his mind on the subject; on which the governor recommended it to the board to postpone the decision—I thought the proposition a very extraordinary one, and I testified no disposition to come into it: I was still less inclined to it, when I heard colonel Brice declare, that as Mr. Wright and I seemed to be satisfied of the justice of the claim, he thought further delay unnecessary, and did not desire it. He went on the principle that the question must of necessity be determined by the three members who had attended the examination; which being the case, the determination must still have been the same, unless a change could in the interim be effected in our opinions, which, considering the deliberate manner in which the inquiry had been conducted was an event hardly to be expected. The governor, however, persisted so earnestly in his proposal, that to avoid disagreeable altercation, I signified my consent to postpone the decision, provided Mr. Wright would engage to return within a few days for the purpose of finishing it: This concession, however, was far from reaching the point, for Mr. Wright declared that his affairs would not possibly permit him to attend before the 12th of the next month. His excellency now expostulated with Mr. Wright, in terms, which however justifiable in general, were deemed by the gentleman severe and unseasonable, in the circumstances he was then under—to his excellency's pointed remonstrances, Mr. Wright still objected his utter inability to return to Annapolis within a reasonable time.—Seeing then not the shadow of a reason for putting off the decision a whole month, and finding no prospect of an accommodation, I no longer thought of acquiescing in a delay injurious to the parties concerned, and for which he could have offered no excuse but an undue submission to the governor's pleasure.

His excellency, at length, put the question, Whether the account should be then decided on? To which Mr. Wright and I replied in the affirmative, and colonel Brice in the negative—this was what I had by no means expected, as he had repeatedly said it was not his desire to have the matter postponed—he did not even then retract this declaration, although Mr. Wright offered yet to postpone the decision, if colonel Brice would express himself really desirous of it—he would not do this, but said, that for want of satisfaction on some points, he must vote against the account, if it was put to its passage. His excellency now talked of withholding the question, unless colonel Brice would explicitly declare for putting it.—Upon which Mr. Wright and I asserted our privilege; called for the question, and passed the account.

His excellency had declared that he should be under the necessity of dissenting to the determination, if the account was passed—his dissent was a few days after produced, and as that part of it which contains his excellency's objections to the account has been given to the public by Mr. Jenifer, it becomes only necessary for me to publish (and save that gentleman the trouble of circulating) the remainder; which is as follows:

" And lastly, Because there were only three members of the council at the board; one of whom declared that he had not made up his opinion on the question, although he said that he did not wish it should be waved on his account: Notwithstanding which, the question was insisted on and carried, although the propriety of waving it for a few days was by me repeatedly and in vain urged. (Signed) W. SMALLWOOD."

To clear my conduct and Mr. Wright's from the imputation conveyed by this article of his excellency's protest, is the object of the present publication—his disapprobation is expressed in terms, which, on the most liberal exposition, will infer a charge of headstrong and precipitate conduct. That the censure is injurious and unmerited, the state of facts I have given, joined to a few remarks I have to make, will, I flatter myself, clearly demonstrate. I have shewn, that Mr. Paca and Mr. Chase voluntarily relinquished this business, and I can truly say, that by so doing they gratified no inclination of mine; I have stated their motives upon knowledge, and Mr. Paca's reason I considered as a permanent one, and to have derived additional force from his not attending the inquiry. A paragraph in Mr. Jenifer's publication of the 11th instant, requires me to be more particular with regard to Mr. Chase. It is there urged as a conclusive argument for delay, "That a gentleman well acquainted with the laws and their construction, and the only one of the profession belonging to the board, except the gentleman who declined to determine, was necessarily absent upon the duties of his profession on the day appointed for the hearing, but that his attendance could have been had at a future day, to assist in the determination of a matter of great importance, or at least of some doubt." The gentleman here intended is Mr. Chase, whose acquaintance with the laws I do not question; but I have some difficulty in subscribing to his exclusive capacity with regard to their constructions, inasmuch as it supposes an exclusive knowledge of the common import of language; and when, in the preceding part of this address, I avow his professional knowledge to have had weight with me, my meaning is extended to the degree of general information and experience, incident to the study and practice of the law. Admitting with this writer that Mr. Chase's assistance was very desirable, and that it might have been procured at a future day, should not this have been mentioned previous to the commencement of the examination? And is it necessary to point out the absurdity of delaying an objection which applied to the mode of inquiry, till that inquiry was ended? How did it happen that not a single word was dropped respecting the incompetency of so thin a council, until the examination was closed, and Mr. Wright's opinion and mine discovered? With what propriety could Mr. Chase have undertaken to determine on the claim, without having attended the formal inquiry which his suggestion on the first appearance of the commissioners account had occasioned? Can it accord with the equal dignity and independence, proper to be maintained by a member of the council, that he should perform the drudgery of the office, and suffer others to step in and over-rule his opinions, merely because they are not agreeable to the head of the board? And what is it that constitutes a decision at a board, which from its small number does not require the settled and formal rules of proceeding necessary in large bodies, if the open declaration of a majority is to be held for nothing until the question is put?

These queries cannot easily be answered: I repeat, that Mr. Chase and Mr. Paca were disqualified to vote on the question; and I am greatly deceived if they do not agree with me in opinion. Yet the governor in his protest objects to the determination, because there were only three members present, and Mr. Jenifer in his letter and publication grounds on the same circumstance the censure he is pleased to retail. The effect is, that the public are impressed with a belief, that Mr. Wright and I, from motives of partiality to the commissioners, seized an opportunity of holding the inquiry without the knowledge of the two absent members, and that by a rash and headstrong decision we lavished a considerable sum of public money, which might otherwise have been saved.

I find it necessary to notice another passage in Mr. Jenifer's publication already referred to: Mr. Duvall having expressed his opinion that a full council would have given the same decision, is told, that it was an event which he would not have been willing to risk, and that, had he been of the same opinion when the council determined, he would most probably (for the sake of additional weight to the proceeding) have agreed that the determination should have been postponed. Does Mr. Jenifer then suppose that the council would have taken their cue from Mr. Duvall, or any man living? The circumstances attending this affair afford a strong presumption to the contrary; I mean particularly the resistance made to the governor's remonstrances. A proposal from the commissioners to defer the decision, on motives such as Mr. Jenifer has mentioned, would have been received as an insult; and the council, if actuated by a just sense of their duty, would as soon admit an illegal claim, as suffer a just one to be relinquished, through the fears of the claimant; the truth is, that I neither saw or heard from either of the commissioners between the inquiry and the determination, nor have I any reason to believe, that they were apprised of the dispute, respecting the passage of their account, until it was over.

The merits of this account are, I find, likely to receive a public and ample discussion from Mr. Duvall and Mr. Jenifer; it was my intention to have ventured on this subject so far as might be necessary to answer the several points of his excellency's dissent: it would now be superfluous, as the defence of the commissioners' conduct is undertaken by a

gentleman every way more equal to the task; of his success I have the strongest persuasion; but whatever may be the event, it will with candid and liberal minds be deemed sufficient for my vindication, that I thought the claim a just one.

JOHN KILTY.

Annapolis, October 16, 1786.

To the CITIZENS of ANNAPOLIS.

"But as coarse iron, sharpen'd, mangles more,
And itch most hurts, when anger'd to a fire;
So, when you plague a fool, 'tis still the curse,
You only make the matter worse and worse.—
THE Delegate admits, that the Citizen undertook to prove, that the Delegate was an improper person to be an elector of the senate for the city of Annapolis; but it is as contrary to truth, as light is to darkness, that he has established any one fact in support of his assertion. The Delegate does not believe, that any arguments, used by the Citizen, could influence the inhabitants of Annapolis to vote against the Delegate, had he solicited the appointment from the city. The Delegate never intended to be the elector for Annapolis, but he expected that trust from Anne-Arundel county, and the Citizen himself cannot now believe, that the Delegate ever avowed such a design; he denies having ever expressed such an intention to any of his most confidential friends.—As the Delegate did not, either in person, or by friend, solicit a vote, how can the Citizen, with any propriety, pretend to say, the Delegate was mortified at not being elected by the city? The Citizen has the pleasing consolation of having been instrumental in doing good to the cause of his country, in assisting towards the exclusion of the Delegate from being chosen an elector for Annapolis.—What arrogance and vanity! The Annapolitans did not choose the Delegate as their elector of the senate (and he verily believes from no other cause, but that he did not solicit them, and they had rashly promised to vote for the gentleman proposed) and the Citizen from thence foolishly concludes, that he contributed to influence the city in their choice.—It is an incontrovertible fact, for the truth of which the Delegate appeals to the citizens of Annapolis, that all of them, even the principals and leaders of the opposition to the Delegate, a very few only excepted, have publicly expressed their disapprobation of the Citizen's first address; and openly disavowed and censured his conduct.—If the Citizen should dare to deny this assertion, he will have more shameful impudence, than ever was possessed by any man in this country.

If the Delegate had solicited the appointment of the elector from the city, and had been rejected, and the inference of the Citizen was just, that therefore he had lost the confidence of the city; it must follow, as he was elected by Anne-Arundel county, that he possessed the esteem, and confidence of the county.—The truth is, that the publications of the Citizen were only falsehoods, nonsense, and impudence; and had not the least possible weight with any inhabitant of the city or county—

"Coxcombs, an ever noisy race,
Are trumpets of their own disgrace"

Can any one believe, that the object and view of the Citizen was only to exclude the Delegate from being an elector for Annapolis? He wishes the public to credit this assertion, and because the Delegate was not chosen by the city, he assumes to himself great cause of triumph.—Surely if the Delegate was an elector for the county, he had, at least, the same power to execute his designs (if he had any) as if he was elector for the city; and yet the Citizen, though the Delegate was elected by the county, cries out, "Unhappy Delegate, mortified at disappointment"—What a contemptible, stupid, impudent wretch! The Delegate was not elected by the city, which he neither desired or expected, and therefore none but an insolent fool could conclude, that the Delegate could be unhappy or mortified at such an event.—The Delegate was chosen by the county, agreeably to his wish, and a man must be worse than an idiot to believe, that the completion of his desires could be a cause of unhappiness or mortification.

The Citizen will not continue to "lash the Delegate, and declines further contest."—The Viper finds it useless to bite a file.—The Citizen has sufficiently proved the truth of the old adage

"That fools to talking ever prone,
Are sure to make their follies known."

The Citizen supposes, and indulges his mind with the persuasion, that his publications had some tendency in excluding the Delegate from the senate.—

A fly, all alive,
On a coach-wheel full drive,
What a dust I raise to the sky;
Why the cit then reproach,
Since his party's the coach;
And he but the pitiful fly.

THE DELEGATE.

Annapolis, October 9, 1786.

LONDON, July 28.

Extract of a letter from Paris, July 20.

THE commercial treaty now negotiating here does not by any means seem to be restricted to any local situation, or to any particular branches of commerce; but equally relates to all the dominions of the two countries; so that the present arrangements are to be considered in the light of a complete system of commerce between France

and Great-Britain, and may, among other benefits to both, lay a system of harmony between them not to be easily disturbed. Hence the peace of Europe may be permanent."

Extract of a letter from Falmouth, July 21.

"Orders are come down from London to prepare a fourth packet, to receive the mails next month for Halifax, Quebec, and Newfoundland, which is the second and will be the last this year, on account of the advance of the season."

The ships now in the course of being taken up by the India company are seven new ones, and fourteen others that have come home this year from India: of this fleet of twenty-one, twelve are for China direct and home again, two to St. Helena, and one to Ben-coolen.

The Assurance of 44 guns is ordered to be equipped at Chatham for the Jamaica station in the room of the Janus, lately come home.

The Southampton frigate, now fitting for sea at Deptford, is ordered for Gibraltar directly, as is the Solebay, a new ship, for the West-Indies.

The duke of Bedford's house at Wooburn-Abbey is to be kept open for eight days, on account of his grace's being of age. On Saturday last he completed his 21st year. Upwards of 4000 persons dined on the grounds the first day, and were entertained in the most liberal manner.

July 31. Young Shepherd, the coach painter, was the last person who made a regicide attempt in England; he endeavoured to kill George the first, and when at the place of execution, was offered his life, provided he would ask the king's pardon: but he disdain'd to supplicate the royal mercy. Lord Chesterfield, in speaking of this transaction, after having disapproved the cause, compares Shepherd's spirit to Roman heroism.

The life of the king of Prussia was twice attempted to be taken away. Once by three of his soldiers at a review; and once by a person bribed, as was supposed, by the empress queen.

The present king of Poland was attempted to be assassinated in 1771.

A like attempt was made on the late king of Portugal, in 1758.

And a like attempt was made on the late king of France, by Damien, 1757.

NEW-HAVEN, September 28.

Extract of a letter from a gentleman in the Western region, to his friend in Boston, dated August 8, 1786, on the Ohio river.

"I have been 200 miles down the Ohio, and up the Mukingum, with a party of the Delaware Indians, and have seen such situations, as, with a few select friends, would constitute a perfect paradise. The air and climate are remarkably fine. In all last winter the mercury was not below 40 degrees, though with us, if you recollect, it was 14 below the cypher; and since I have been here, I have never found it higher than 80 deg. and it is generally 76, in the shade, at two o'clock. My health is perfectly established, which I should attribute to fatigue and exercise, did I not see the people of this country, who are the most indolent in the world enjoying very great health, men, women, and children, and of the latter every little low hat you come across is full enough for swarming.

"Reports are frequently made here of scalping parties, but are all without grounds. They are circulated by a set of men who wish for something of the kind, from interested views."

PETERSBURG, September 28.

Captain Roberts, of the ship Lady Randolph, from London, spoke with on the 12th of August, in lat. 36, long. 16, the brig Nancy, captain Lewell, from Philadelphia, bound to Marseilles, out 28 days, all well.

Captain Johnson, of the brig Albany, from Glasgow, spoke with at sea on the 2d instant, the ship Nonsuch, James Wallace, master, from Maryland bound to London, 12 days out, who in a gale of wind sprung a leak, and hove overboard 93 hogheads of tobacco. Captain Wallace had spoke a frigate who saw a ship supposed to be the Washington, dismasted. She was then in company with the ship Charlotte, captain Andrews, all well, and reckoned in 60 W. long. lat. 40, wind E. S. E.

RICHMOND, September 28.

A letter from a gentleman in Montgomery county, dated August 18, 1786, to his relation in Williamsburg, says, "A party of Indians, supposed to be thirty-five in number, on the 14th of last month, early in the morning, fell upon the family of a captain James Moore, (who lived in Abb's Valley, on Bluestone creek) the whole of which, except two hired men who were at work in a field, were either killed or taken, and all his houses burnt; these two making their escape alarmed the rest of the inhabitants, who run together for their defence, and thereby preserved themselves from any further damage; which, in all probability, they would otherwise have sustained. A company of militia was ordered out to pursue the Indians, and guard the inhabitants when securing their grain, which then stood in the fields, but a sufficient number not going to effect both, and some considerable time passed from the day the mischief was done, until they arrived at the place, whereby the Indians had got so great a start of them, that it was thought proper to decline the pursuit; indeed it seems as if it had been unnecessary, as the number of Indians and

white men were the same, and had been obtained effectually hawked the ferred for t with so great it shortly ago and, I believe they have since they had a since return the place for this be the tants, that families to security.

"The occasion of the colonel Moore level with in several p and privy P whether he is uncertain and left a w and several sign they n judges, to b

B A

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out interm and lightning of rain. A

a more alarm nor began to being then down with g banks, and the mill wou houses, and carried away ing-house, n nished, whi on the bank waters having tion, which ing the wate

lancholy app ing on the v and middle some two-f

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danger, we tal human missing.

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ANN

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On Satu THIRT or gelding, to carry se two miles

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No men polis, or scried on to start a b belonging

Entranc cond four George N double en seven o'clock the race.

white men who went agreeable to order were nearly the same, and unless a great advantage could have been obtained over them so as to have routed them effectually the first fire, they would have tomahawked the prisoners. As the Indians have not suffered for this incursion, and the booty they met with so great, perhaps it may excite them to attempt it shortly again; this seems to be dreaded generally, and, I believe, our fears are not ill grounded. They have nothing more now to prevent them, than they had at first, as the militia who were sent is since returned, and not a sufficient number kept at the place for the protection of that frontier; should this be the case, it will so intimidate the inhabitants, that the majority will remove themselves and families to some other part of the country for their security.

The barbarities these savages exercised on this occasion were more shocking, after having killed colonel Moore, they scalped him, beat his skull in level with his eyes, with a war club, stabbed him in several places with a spear, cut off his nose, lips and privy parts, and burnt a man up in the house; whether he was dead or not, before fire was set to it, is uncertain; also burnt the head of an infant off, and left a war club sticking in the head of another, and several bows and arrows were also left. The sign they made is said by those who pretend to be judges, to be daring and insulting."

BALTIMORE, October 10.

On Wednesday night last, we were visited with one of the severest equinoctial storms that has happened here within the remembrance of the oldest inhabitants. It continued till Thursday evening without intermission, attended at times, with thunder and lightning, and the most violent incessant torrents of rain. About 9 o'clock, the storm abated, when a more alarming terrifying scene of distress and horror began to appear. The waters in Jones's Falls, being then risen to a very unusual height, rushed down with great violence, spreading high above its banks, and "sweeping the herds and flocks."—All the mill works, and fences along its margin, several houses, and all the bridges, in a few minutes, were carried away. The new Dutch Presbyterian meeting-house, an elegant valuable building, nearly finished, which stood at the east end of Market-street, on the bank of the falls was nearly destroyed, the waters having swelled so high as to sap the foundation, which caused one half of the building, fronting the water, to tumble down.—It has now a melancholy appearance. A large brick house, building on the west side of the marsh, between the upper and middle bridges, was almost destroyed. A handsome two-story dwelling-house, at one corner of Gay-street bridge, was completely buoyed up, carried across the street, and finally into the falls, where it was crashed to pieces, and floated away. Another house near the same bridge, was removed a few yards, but fortunately afterwards made a stand, and repelled the flood. A house near the same, wherein was a quantity of salt was entirely destroyed; and a number of others built on the marsh, were in the utmost danger; in short, all the dwelling and store-houses, within its reach, together with that part of Market-street newly paved, suffered amazingly. Some families finding themselves in danger, were removed with great difficulty. Several human bodies have been found, and others still missing.

Among the unfortunate, who lost their lives in consequence of this great rain, was a Mr. Boyce, an attorney at law, a gentleman highly respected for his many engaging, and good qualities. After dining in Baltimore on Friday, he resolved to go home to his family in Harford county. As he travelled in a phaeton, he thought it safest to cross at a fording-place, a little way north of the town; in doing this, he found the carriage was likely to overriet, which caused him to jump out into the water, probably with a design to lay hold of something to save himself from the rapidity of the current, but alas! he was unfortunately disappointed, and carried down the stream.

ANNAPOLIS RACES.

ON Friday the 10th of November, 1786, will be run for over the course near Annapolis, a subscription PURSE of SIXTY POUNDS, free for any horse, mare, or gelding, except the horse winning the Jockey Club purse; heats four miles each; four years old to carry seven stone, five years old to carry seven stone ten pounds, six years old to carry eight stone seven pounds, aged nine stone.

On Saturday the 11th of November, a PURSE of THIRTY POUNDS, free for any horse, mare, or gelding, of three and four years old, four years old to carry seven stone, three years old a feather; heats two miles each.

Any horse winning two clear heats to be entitled to the purse; three horses to start each day on no race, the winning horse the first day excluded the second day.

No member of the Jockey Club, resident of Annapolis, or Anne Arundel county, that has not subscribed one guinea to the town purses, to be allowed to start a horse, nor will any horse, mare, or gelding, belonging to such a member be allowed to start.

Entrance the first day eight dollars, and for the second four dollars; the horses to be entered with Mr. George Mann the day preceding the race, or pay double entrance at the post, and to start each day at eleven o'clock. Proper judges will be appointed for the race.

October 17, 1786.
To be SOLD at PUBLIC VENDUE, on the 10th day of November next,

A VALUABLE tract of land, containing 520 acres, lying on Rock Creek, in Montgomery county, near colonel Magruder's; there are about 200 acres cleared, on which is a small dwelling-house, one 40 feet tobacco house, a corn house, negro quarter, a good orchard, and about 8 or 10 acres of valuable meadow in grass, and there may be made 50 acres more with a small expence; the soil is equal to any in that settlement. The terms will be made known on the day of sale.

1007/6 THOMAS O. WILLIAMS.

To be RENTED,

A VERY good grist-mill with two pair of stones, bolting-clothes, and every thing convenient, with a large meadow, lying on the Head of South river. Any person inclinable to rent may have possession in December.

1007/6 FRANCIS RAWLINGS.

October 7, 1786.

WANTED,

A PERSON well skilled in the business of an overseer, particularly in the management of tobacco, and would undertake to overlook three contiguous plantations, with between twenty and thirty working hands, will meet with good encouragement, on application to the subscriber, in George-town. One who understands something of keeping accounts would be preferred, and must come well recommended for his capacity to manage such an estate.

1007/6 JOHN MURDOCK.

October 13, 1786.

Wanted immediately, As an overseer,

A MAN that is well acquainted with the management of a number of negroes, and understands farming; none need apply that cannot be well recommended; with or without a family will be immaterial; good encouragement will be given to a man that understands his business. Inquire of the Printers.

LOST, on Saturday the sixth day of October, 1786, a final settlement CERTIFICATE, granted to Archibald Johnson, jun. signed by John Pierce, commissioner, and countersigned by John White, assistant-commissioner, for one hundred and twenty dollars, the date and number unknown; this to forewarn all persons from purchasing, or taking any assignment for the above certificate.

W3 1007/6 WALTER JOHNSON.



THERE is at the plantation of Thomas Rutland, near Annapolis, taken up as a stray, a black HORSE, branded on the near shoulder and buttock something like HB, on the off buttock thus 17, has a snip and a star in his forehead, short mane and switch tail, about fourteen hands high, and supposed to be ten years old. The owner may have him again on proving property and paying charges.

Annapolis, July 21, 1786.

Lands for Sale.

THE subscriber has for sale all that tract of land called Beall's Plantation and Snowden's Reputation Supported, containing about 700 acres, situated on the Head of South river, about three miles from navigable water, and contiguous to the estate of Mr. Richard Hopkins, of Gerard.

This is a most eligible situation, being about twelve miles from the city of Annapolis, twenty-eight from Baltimore-town, twenty-four from George-town, and seven from the inspection houses of Indian Landing and Queen-Anne, is well adapted for corn, wheat, and particularly tobacco, also well timbered and watered, a very good mill stream runs through it; there is some meadow ground, and much more may be made.

The improvements upon it are, a good dwelling house with three large rooms on each floor, kitchen, quarter, cornhouse, stables, tobacco house, a very fine apple orchard, together with a number of other valuable fruit trees.

Mr. Richard Hopkins will shew the premises above mentioned; further particulars may be had of the printers, of Messieurs William Patterfon and brothers, Baltimore, or of

12 JOHN WADDINGTON, in Philadelphia.

Chester-town Races.

THE JOCKEY CLUB purse of SIXTY GUINEAS will be run for over a course near Chester-town, on Wednesday the first day of November next; and on Thursday the second, the residue of the subscriptions will be run for, the winning horse the preceding day excepted; the weights carried at both races will be agreeable to the rules laid down by the Jockey Club at Annapolis; any member of the club may start a horse, mare, or gelding belonging to any other person, provided he pays no consideration for the loan thereof, and is solely to receive the benefit of the plate if he should win.

The subscribers are requested to pay in their subscriptions to the secretary (Thomas Worrell) on or before the first day's race; the riders all to be properly dressed. The members of the club are requested to meet at the house of Edward Worrell, in Chester-town, on the day preceding the race precisely at twelve o'clock.

N. B. The first day's race will be four mile heats, and the second two mile heats.

Annapolis, August 9, 1786.

WHEREAS Mr. Thomas Rutland hath thought proper to publish an advertisement forewarning all persons indebted for dealings at either of his stores in Virginia or Maryland, from paying any money to Mr. John Petty, in behalf of the firm of Yates and Petty, and has assigned for the reason of such publication, that the said Petty had broken the award determined on by gentlemen mutually chosen to adjust their differences, I think it proper to inform the public, that the prohibition of Mr. Rutland is as unjust as his allegation in this respect is without foundation. The supposed breach of the arbitration arises in his opinion, as far as I can conjecture, on the suit commenced by Yates and Petty for the recovery of a very considerable balance due to them from Mr. Rutland, but a little reflection must convince him that his conduct in disposing of a considerable part of his estate, subsequent to the award, rendered this step absolutely necessary, and that Yates and Petty are fully justified in pursuing it, by the terms of the award made by the gentlemen appointed, of which all persons may be fully satisfied by applying at the store of Mr. Petty, in Annapolis. It is with concern that the subscriber finds himself under the necessity of entering into a public altercation respecting his private affairs, but should Mr. Rutland persist in his unjustifiable accusations, a full account of his transactions with and conduct towards Yates and Petty, will enable an impartial public to judge which of the parties has the greatest reason to complain of ill treatment.

The subscriber takes this opportunity of requesting all persons indebted for dealings at the stores (late Mr. Rutland's) in Virginia or Maryland, to make him immediate payment of their respective accounts, or he shall be under the necessity of making use of compulsory measures to recover the same, which will be very disagreeable to their

Most obedient humble servant,
JOHN PETTY.

IN consequence of an advertisement of mine forewarning all persons, indebted at either of my stores in Virginia or Maryland, from settling any of their accounts with Mr. John Petty, that gentleman has been pleased to return for answer, that my prohibition was as unjust as my allegation was without foundation; that it was with concern he found himself under the necessity of entering into a public altercation about his private affairs, and should I persist in my unjustifiable accusations, a full account of my transactions with, and conduct towards, Yates and Petty, would enable an impartial public to judge which of the parties had the greatest reason to complain of ill treatment. I would beg leave to inform the gentleman, that it is as disagreeable to me as it can possibly be to him to appear in the public prints, though, at the same time, very willing to appear any where to justify that conduct which I have and hope ever shall be able to reconcile to my own conscience. As he has now broached the matter, I insist on his laying before the public my conduct to Yates and Petty, and trust I shall be very easily able to confute any untruths he may expect to impose upon the public, by an open and candid definition of the same; that my prohibition is unjust, is an assertion as illiberal as 'tis ungrounded. I hope those gentlemen indebted as before mentioned, will pay no attention to Mr. Petty's request of paying their respecting accounts to him, as it will only involve them in law suits, for I am determined to sue every person that has or shall pay any money to Mr. Petty (for dealings at either of my stores previous to the fourth of February) since the public notice I have given.

THOMAS RUTLAND.

September 30, 1786.

To be SOLD, at PUBLIC SALE, on Saturday the 21st of October, by the subscriber, at his dwelling, near the Governor's Bridge,

THE remaining part of the estate of Thomas Toft, deceased, consisting of horses, cattle, and household furniture, some looms, geers, and slays. The terms of sale to be made known on the day of sale.

All persons having claims against the estate are desired to bring them in, on or before the day of sale.

3X SAMUEL JACOB, administrator de bonis non.

Softerley, September 29, 1786.

On the first day of November next, will be offered for sale, at the subscribers seat in St. Mary's county, on Patuxent river,

SEVERAL young negro women, boys, and girls. Credit will be given, on bond and good security. Those negroes are sold for no fault, but the proprietor is overstocked.

3X GEORGE PLATER.

Annapolis, October 9, 1786.

FROM this day the subscriber intends to quit tavern keeping, and hopes all his old customers will call on him and pay off their respective accounts as he is in very great want of money; he would be very glad, such as cannot pay him would call and settle by note or bond.

He begs leave to inform the public, that he intends to keep a boarding house by the year, half year, quarter, month, week, or day, as reasonable as any genteel boarding house in town. Any gentlemen or ladies that will favour him in that way with their custom, may depend on his doing every thing in his power to oblige.

2 GILBERT MIDDLETON.

October 9, 1786.

I INTEND to petition the next general assembly for restitution of, or compensation for, that part of my confiscated property which remains untold.

2 JOHN SHUTTLEWORTH.

THIS is to give notice, that I intend to prefer a petition to the next general assembly for an act to confirm my right to part of a tract of land, called Beall's Goodwill, the late property of Henry Hunter, deceased, which he devised to be sold.

8W THOMAS MORTON.

Prince-George's county, October 2, 1786.
T O B E R E N T E D,

For one or more years,
THE plantation whereon I now dwell. Any person inclinable to rent it, may know the terms by applying to Mr. Benjamin Hall. Also negroes to hire.
MARGARET MUNDOCK.

October 3, 1786.
NOTICE is hereby given, that a petition will be presented to the general assembly, at their next session, praying that an act may pass, explanatory of that part of the charter of the city of Annapolis which relates to the residence of the electors or free voters thereof. 8 w 2

NOTICE is hereby given, that we intend to take the depositions of witnesses to establish the will of Notley Maddox, late of Charles county, deceased, and to establish our right to lands devised from him, on Monday the twenty-seventh day of November next, at the house of Robert D. Semmes, in Port-Tobacco-town, of which all persons concerned are desired to take notice.

HENRY MADDOCKE,
NOTLEY MADDOCKE.

MRS. SMITH has opened a boarding school for young ladies in Annapolis; she teaches drawing, shell work, tambour, open work, embroidery, crowning, shading, netting, and a variety of fine works; likewise plain work, marking and reading. Mrs. Smith will teach her boarders writing and reading French, and she will pay the greatest attention to the health and improvement of the young ladies boarded with her.

September, 1786.
THE subscriber, not only long ago obtained a deed, which is not yet recorded, from Edmond Blades, then of Queen Anne's county, for fifty acres of land, out of a tract called Long Range, formerly in Dorchester, and now in Caroline county, but also had a tract of land surveyed by the name of Caffon's Meadows and Vacancy Adiel, which he has got no patent for, through neglect his reculsion occasioned, he therefore intends to apply to the chancellor of this state, pursuant to the direction of a late act of our general assembly, in order to get his moral right to both the said parcels of land legally confirmed; neither is more than three miles from Choptank-bridge, and surrounding neighbours know what is now said about them, by HENRY CASSON.

TAKEN up as a stray, by Burford Cotter, in Charles county, a small dark bay MARE, about thirteen hands high, neither docked nor branded, appears to have been but little accustomed to riding, eight or nine years old, trots and gallops, has a long hanging mane and switch tail, both of which, as well as her legs, are black: she appears to be with foal. The owner may have her again on proving property and paying charges.

TEN POUNDS REWARD.
September 30, 1786.
RAN away, a few days ago, from the subscribers, living in Fairfax county, Virginia, two slaves, viz. DICK, a very ugly well made mulatto fellow, about 25 years of age, has bushy hair or wool, which he generally combs back, large features and eyes, a grum down look when spoken to, is a subtle artful fellow, well acquainted both in Virginia and Maryland, beats a drum pretty well, and has been formerly a waiting man; he took with him a light lead coloured country cloth coat with white metal buttons, a short green ditto, a white cloth waistcoat, a red ditto faced with black velvet, a round hat half worn, and common shoes and stockings; he ran away some time ago, when he worked on board a bay craft, by the name of Thomas Webster.

WATT, a stout negro fellow, remarkably black, about thirty five years of age, has lost some of his teeth before, which in some measure affects his voice, has had cross paths lately shaved on his head, to conceal which it is probable, he will shave or cut close the rest of his head, he is an artful fellow, has a down look, and seems confused when examined; he took with him a brown cloth coat, a pair of black breeches, and a variety of cloaths not known. They will perhaps change their names and pass for free men, and it is probable they may have a forged pass. They will probably make for the eastern shore, or for the state of Delaware or Pennsylvania. The above reward, or five pounds for either of them, will be paid for delivering them to the subscribers, or for securing them in any gaol, and giving us notice, so that we get them again, and, if brought home, all reasonable charges paid. All captains or skippers of vessels, and others, are hereby warned, at their peril, from taking them on board or employing them.

GEORGE MASON,
GEORGE MASON, jun.

George-town, August 29, 1786.
THE inhabitants of Montgomery county intend to present a petition to the next general assembly, for two inspections of tobacco, at George-town, in the said county.

Chester-town, September 5, 1786.
NOTICE is hereby given, that the subscribers intend to prefer a petition to the general assembly, at their next sitting, to pass an act to confirm and ratify a verbal contract between Isaac Spencer, lately deceased, and the subscriber Benjamin Roberts, relative to a part of a tract of land in Queen Anne's county, called Crompton, and a mill and mill seat thereon, and also to empower the guardian of Isaac Spencer, son and heir of Isaac Spencer, deceased, to appropriate a part of the profits of his estate to complete the engagements entered into by his aforesaid father.

HANNAH SPENCER,
BENJAMIN ROBERTS.

Annapolis, September 13, 1786.
ALL persons indebted to the estate of colonel James Tootell, deceased, are earnestly requested to make payment by the 20th of October next, those that do not comply with this request will be dealt with, as the law directs, to November court; the demand against said estate require our being thus urgent.

JAMES WILLIAMS, } acting
JOSEPH DOWSON, } administrators.
Several young likely negro women for sale. For terms apply to JAMES WILLIAMS.

Annapolis, September 11, 1786.
House Building.
WE, the subscribers, will undertake to erect or repair any building, finding materials and labour, or labour only, as may be most agreeable to those who please to employ us; also to design, estimate, measure and survey any building, and make out bills of standing, &c. &c. in an expeditious and neat manner, and on reasonable terms.

EDWARD VIDLER,
ROBERT KEY.

A few Copies of the
L A W S
Of the last Session,
And
The VOTES and PROCEEDINGS
Of both Houses,
To be sold at the Printing-Office. 12

September 22, 1786.
THIS is to give notice, that sundry of the inhabitants of Montgomery, Frederick, and Washington counties, intend to present a petition to the next general assembly, for one more inspection for tobacco, at George town, on Patowmack river. 3 8 w

Anne-Arundel county, August 17, 1786.
NOTICE is hereby given, that the subscriber intends to petition the next general assembly to confirm the devise made to her by the will of her late husband, John Mercer, deceased, to her and her heirs for ever.

SUSANNA MERCER.

Charles county, August 13, 1786.
I HEREBY give notice to all whom it may concern, that I intend to prefer a petition to the next general assembly of the state of Maryland, praying that honorable body to pass an act to correct and alter a particular course of a tract of land, called Crofman's Entrance, lying and being in the county aforesaid, so as to include the land purchased by warrant of survey.

JACOB WARE.

State of Maryland, August 12, 1786.
NOTICE is hereby given, that I intend to petition the next general assembly of Maryland, praying a law may pass, authorizing and empowering me to erect and rebuild my water mill, in Talbot county, and state aforesaid.

JOHN HARDCASTLE.

Negro shoes
FIVE hundred pairs of the best quality, to be sold, on the lowest terms, by the subscriber, in London-town, who receives hides for tanning as usual.

EDWARD EFLON.

N.B. They may also be had of Messieurs Ab-salom Ridgely, William Wilkins, James West, and John Wiseman, in Annapolis.

Cecil county, July 31, 1786.
NOTICE is hereby given to all whom it may concern, that I intend to petition the next general assembly of the state of Maryland, for an act of insolvency to discharge my person from imprisonment for debts which I am unable to pay.

WILLIAM BROWN.

Charles county, September 19, 1786.
To be leased, for a term not exceeding three years, and possession given the first day of January next, THE subscriber's store-houses, at the head of Wic-comico river, at present occupied by Messieurs Simms and Dyson. For terms apply to Walter Winter, Esq; of Charles county.

JOHN CAMPBELL.

ANNAPOLIS RACES.

THE Jockey Club PURSE will be run for over a course near Annapolis, on the second Thursday of November next, weights as usual, any member of the Club may start a horse, mare, or gelding, although not his own property, provided he pays no consideration whatever for the loan thereof, and is solely to receive the benefit of the plate, should he win. The members of the Club are desired to pay in their subscriptions for the present year to Mr. George Mann, on or before the first day of November next, and all those gentlemen who are in arrear are most earnestly requested to pay them up by that time. The members of the Club are requested to meet at Mr. Mann's the day before the race, precisely at twelve o'clock.

Charles county, September 20, 1786.

FOR SALE,
THE four following tracts of land, lying in Montgomery county, about twenty-five miles from George-town, and twenty from Frederick-town, viz. Conclusion and Number One, adjoining tracts, containing three hundred and sixty acres, about one hundred and fifty of which are cleared land under good fences; the improvements are, a good dwelling house, kitchen, barn, &c. and about four hundred bearing fruit trees, Part of Conclusion Increased, containing two hundred and twenty nine acres, about eighty of which are cleared land, with a small log dwelling house, &c. and a few fruit trees; and part of Rich Land, containing three hundred and nineteen acres of unimproved land; the soil of the whole of these lands is well adapted for corn, wheat, or tobacco. Cash or tobacco will be taken in payment; one fourth to be paid by the first day of March next; three years credit will be given for the other three fourths, on giving bond on interest with approved security. Any person inclining to purchase may see the land by applying to Mr. Baker Howard, who lives on the first mentioned place.

BENJAMIN REEDER.

Nottingham, Patuxent river, Prince-George's county, September 15, 1786.

PUBLIC SALE,
OF a very valuable estate, by virtue of a deed of trust from Mr. Walter Brooke Cox and Anne his wife, to Fielder Bowie and Anne Cox, executrix of Thomas Smith Cox, bearing date the 9th of May 1786, which said deed of trust was made by the said Mr. Walter Brooke Cox, in consequence of the said Fielder Bowie and Thomas Smith Cox, deceased, having become security for the said Mr. Walter Brooke Cox to Samuel Hughes, Esq; and for which said deed judgment hath been obtained, and execution issued against the principal and his securities, for the payment of which, will be exposed to public sale, on Thursday the 12th of December next, if fair, if not the next fair day, on the premises, for ready money, the following tracts or parcels of land; Orchard, containing 190 acres; Quick Sale, 52; Part of Twiford, containing 108; Part Littleworth, containing 20 acres; and Good Luck 39 acres; in the whole making 499 acres; all which said lands lieth adjoining to each other, and situate within half a mile of the town of Nottingham, on Patuxent river. This land is very level, and well adapted to corn, wheat, rye, and tobacco, and has the advantage of an extensive range for all kinds of stock, with wood sufficient to support the whole with care. On the premises are, a convenient dwelling house, kitchen, meat house, corn house, three tobacco houses, and two negro quarters, all in but bad repair, two small orchards of excellent fruit; part of this plantation is under good fence. This land will be sold as will best suit, together or separate; the title thereof is indisputable. At the same time and place will be sold, one other tract of land, it is the present residence of Mr. Walter Brooke Cox, containing about 128 acres, on which are, a good and convenient dwelling house, kitchen, quarter, corn house, &c. &c. There is likewise on this tract a great variety of fruits; it is a beautiful situation, and the soil good, and has a never failing spring of good water near the buildings.

And on Monday the 18th of December next, if fair, if not the next fair day, will be sold on the same terms, the following tract of land, in Montgomery county, about 8 miles from Bladensburg, 10 from George-town, and 35 from Baltimore-town, containing 517 acres, on this place is erected a convenient and comfortable dwelling house 38 by 28, with three rooms and a passage below, two rooms above stairs, and brick chimneys, with all necessary outhouses, such as kitchen, negro quarters, stables, and tobacco houses; there are also on this land, about half a mile from the former, a good dwelling house with stone chimneys, and all necessary outhouses; there are a great variety of fruit trees of all kinds on both these tenements; the soil is well adapted to the cultivation of corn, wheat, and tobacco, and as it is so conveniently situated to those several capital and improving trading towns, there cannot be a doubt but it will become very valuable in a few years. And also, on Thursday the 14th of December, will be sold to the highest bidder, nineteen valuable country born slaves, consisting of men, women, boys, and girls; also all the hories and cattle, among which are some valuable oxen, and all the plantation utensils. Attendance will be given on the days appointed, by FIELDER BOWIE, ANNE COX, executrix of Thomas S. Cox.

Caroline county, August 15, 1786.
PUBLIC notice is hereby given, that a petition will be preferred to the next general assembly, praying that an act may pass for the erecting the public buildings of said county at Choptank Bridge.

MARYLAND GAZETTE.

T H U R S D A Y, O C T O B E R 26, 1786.

To DANIEL of St. Tho. JENIFER, Esquire.

S I R,

THE intention of my address was to counteract the ungentlemanly and dishonourable method you had taken to injure private character and reputation, by misrepresenting in private letters public transactions, when the press was open to you. Conscious of the guilt, implied by the reproaches contained in my address, you have not been insensible of their stings, and to prove your innocence you have descended to the most virulent abuse and impertinent invective. Notwithstanding your formal protest against a conduct of this sort in the beginning of your publication, it must be apparent to every impartial reader, that your chief motives have been to vilify and traduce. Your indecent sarcasms, puerile strictures, and glimmers of wit, which prove nothing but the rancour and malevolence of the author, and are unimportant to the public, are too contemptible for my notice.

You have endeavoured to prove that the commissioners have received orders on the treasury for considerable sums of money, when upon a fair state of their accounts, if they were not indebted to the public, very little was due to them; but this has not been done by facts and arguments, but by deliberate falsehood and misrepresentation. That you should have opposed the passage of the commissioners account, and exerted every faculty of your soul to prevent it, is by no means strange, because the investigation of their claim involves in it the propriety and rectitude of your conduct when intendant of the revenue, so far as it related to the resale of confiscated property directed by you; and the allowance of their claim implies a disapprobation of your conduct. That you should still misunderstand this subject, after the full discussion which it had before the governor and council, and after the great pains you have taken to develop it, is a little wonderful. It will readily be admitted that if they have charged and received a double commission of £. 1786 10 on property sold to the amount you mention, that the charge was both illegal and unjust. But no such charge has been made by the commissioners, nor did it ever float in their imagination. That they charged a commission on the resale of Nanticoke manor, amounting to £. 164 2 6, and on other property resold by them, to the amount of £. 223 16 10, is certainly true; and in my judgment it is equally certain and true that they were entitled to it, whether considered in a legal or equitable point of view.

Let us examine this subject. To enable the public to decide fairly on it, it is necessary that there should be a fair, true, and candid state of facts laid before them. To do this it is necessary to recur to the several acts of the general assembly under which those sales were made, on which the commission arose. The general assembly at their session in May 1781, which did not end until some time in the last week of June following, passed an act for the emission of paper money to the amount of £. 200,000 on the security of double the value in lands, to defray the expences of the campaign of that year. This emission, at that time, was deemed by the legislature the only expedient to enable this state to contribute its part to the support of the common cause, by opposing the bold and rapid march of the British army, then under the command of lord Cornwallis in Virginia; and to provide for its own internal government and security. To secure the certain redemption of this emission, and as far as possible to prevent its depreciation, it was necessary that the funds should be ample and undoubted. The principal fund for its redemption was the confiscated property pledged and directed to be sold by the act before mentioned, which, for the information of the public, I will here particularise. The commissioners were directed to sell "the several manors in the counties of St. Mary's, Kent, Charles, Queen-Anne's, Dorchester, Somerset, and Worcester, which belonged to the late lord proprietary, and which remained unsold by the commissioners of the late lord Baltimore, and also all the property of the persons commonly called by the name of the Principio Company; and also all the property in this state of Anthony Bacon, John Eversfield, Andrew Buchanan, James Brown, and company, Mackie, Spears, and company, James Christie, John Buchanan, John Glasford, and company, the heirs of John Hyde, the heirs of Samuel Hyde, and the heirs of Thomas Bladen; and also the property of the following British subjects, to wit: Daniel Dulany, son of Daniel, Daniel Dulany, son of Walter, and Henry Addison, clerk, Jonathan Boucher, clerk, and Anthony Stewart;" with some exceptions as to parts of the

property of the Principio Company, Henry Addison, Daniel Dulany, son of Walter, and Daniel Dulany, son of Daniel. The commissioners were directed to lay off most of the lands to be sold by this act in convenient parcels, as they might judge most advantageous. And it was also by the said act enacted, "that the said commissioners should not proceed to the sale of any property under this act, as belonging to any of the said persons, and being confiscated because of their being British subjects, but what they should be fully and clearly satisfied did belong to them, and had not been sold or conveyed before the first day of December, 1779; and if any claim should be put in to any part of the said lands, which should appear well grounded in law or equity, or which the commissioners should have reason to believe the general assembly would admit, that then the commissioners should delay selling the land or estate so claimed, and make return of the same, and the claim thereto, to the general assembly at their next session." I have inserted this clause, because I perceive very improper conclusions and inferences have been drawn from it; and it was also declared by the said act, "that on any sale, the estate should not be diverted out of this state, until the purchase money and interest shall have been fully paid."

The commissioners were also directed to sell, by an act of the same session, chap 33, all the property, real, personal, or mixed, which belonged to James Russell, and company, on the terms mentioned in the said act. This property was pledged for the redemption of the paper emission, commonly called black money, and consisted of upwards of 12,000 acres of land, besides personal estate, lying chiefly in Baltimore county.

The commissioners were also directed by an act of the same session, chap 37, to sell, with the approbation of the governor and council, Whetstone-point, and other property specified in the act.

At the close of the session, which was late in the month of June, it was plainly foreseen that surveys of all the lands could not be made previous to the sales, so as to answer the intentions of the legislature. The governor and the council saw the necessity of supporting the credit of the red money, and urged the commissioners to proceed to the sales of the property pledged for its redemption with all possible expedition. They informed the commissioners they were apprehensive that there could be no great reliance on the subscriptions directed to be opened by the act, and that they had reason to believe they would not be so generous as was at first expected; and it was observed by the board, that it did not appear to them to be necessary to have all the property, and particularly the manors, surveyed previous to the sale, as the surveys might be afterwards made without inconvenience. The idea of the governor and council perfectly corresponded with the opinion which the commissioners had formed upon a consideration of the circumstances of the state. Much depended on exertion at that critical period. As about seven eighths of the property directed to be sold lay on the western shore, it was determined that the property on the western shore should be disposed of before any thing was attempted on the eastern. After a considerable progress in the business here; after all the manors in St. Mary's and Charles counties were disposed of, without previous surveys, the sales on the eastern shore began.

Some time in the month of January 1782, the commissioners proceeded to the sale of Nanticoke manor. They were in possession of a plot and other papers which they had obtained from the revenue-office, which had been made a few years antecedent to the commencement of the revolution, by a surveyor of Dorchester county, upon which were laid down the leases of each particular tenant, and also several small tracts of patented land, some of which had been granted in the usual manner, and others had been sold by the commissioners of the late lord Baltimore. The town of Vienna being comprehended within the manor, those parts of it which remained unsold, were disposed of in lots agreeable to their ancient location. After obtaining the best information which could be procured, the manor was sold in lots, in such proportions as appeared to the commissioners would most contribute to an advantageous sale. The extent of each lot was defined and circumscribed on the plot by which the commissioners were governed, and by which it appeared what particular leases would be included in each lot. A number of people attended the sale, and a spirit of bidding prevailed, which occasioned the property to sell very high, and greatly beyond its real value.

I will not pretend to say what length of time elapsed before the petition was presented to the legislature, upon which the act passed, under which you declared the sale void. I well remember, that in a former petition the high price given for the land was urged by the petitioners as one reason why the sale should be declared void, and the purchasers released from their contract; and another reason was also urged, that many of the purchasers were affected by claims set up by Pritchett Willey, and others, which were apprehended to be unjust. The circumstances of the sale, together with the claims set up to parts of the manor, were represented to the general assembly by the commissioners, I think, in the year 1783; upon which, or the suggestion in a petition then before them, executions against the purchasers were suspended until the end of the session then next ensuing. About this time, or perhaps in the year 1782, petitions were preferred by purchasers of other manors, setting forth, that they had given greatly more than the actual worth of the lands, which had been sold without a survey, and praying to be released from their engagements. But these petitions were very justly rejected. I am too well acquainted with all the circumstances of this transaction, not to know, that it was principally the extravagant price which the manor sold for which induced the purchasers to prefer a petition to be released from the purchase. Little was to be risked, but much might be gained by the experiment. It has been admitted that in some few instances the purchases lay so very different from what was apprehended from a view of the plot by which those lots were sold, that it would have been unjust not to have released the purchaser; this happened from circumstances which it was impossible for the commissioners to guard against. There were small tracts of patented land in the manor, which even those who lived near the spot, knew nothing of; but it should be remembered, that neither on the sales of those lots, nor on such as were affected by the claims set up by Pritchett Willey, and others, was a commission ever claimed or charged.

You say, it was proved to the satisfaction of the delegates that the lands which the purchasers thought they bought, would not fall to them by following the plot used by the commissioners. This assertion cannot be credited, because such proof was not even offered to you; and it does not appear from the preamble of the act, that any proof was taken before the house of delegates. The legislature did not decide on the merits of the petition, but authorized you to inquire into the truth of the allegations suggested in it, and to act accordingly. Whether the evidence upon which you undertook to declare the sale void, was sufficient to authorize and justify the act, will best appear from a perusal of the act itself. It recites that "whereas a great number of the purchasers of Nanticoke manor have, by their humble petition to this general assembly, set forth, that at the time when the commissioners for the seizure and confiscation of British property made sale of such manor, no actual survey thereof had been made previous to the making such sale, and in consequence thereof, as appears from an actual survey since made of said manor, that several of the purchasers are greatly injured by elder surveys running into their lots, and that many of the lots are totally different in soil, situation and improvements, from what appeared on the old plot, by which the commissioners were directed when they made the said sale; and that a certain Pritchett Willey, as well as sundry others, claim a considerable part of said manor in virtue of grants obtained from the late proprietary before the revolution, many of which there is just ground to believe have been fraudulently and unjustly obtained: And whereas all the purchasers of said manor have passed bonds for their several purchases, and it is thought just and right, under such circumstances, that such sales should be set aside;" and then enacts, "That the intendant of the revenue shall have full power and authority to inquire into the said sales, and if it appears to him that any of the purchasers have been deceived in the purchases, by means aforesaid, and such purchasers shall choose to be released from the purchase, the said intendant shall have full power and authority to declare such purchase, in which the purchasers has as aforesaid been deceived, and elects to be released from, void; and thereupon the bond or bonds taken from such purchaser or purchasers shall be given up, and the commissioners for preservation and sale of confiscated property shall, under the direction of the intendant, after giving two months notice in the Maryland Gazette, sell all such parts of said manor as are thus disengaged, and all other parts of the same, which it shall appear, upon an actual survey

thereof, have not been sold, and which are clear of elder surveys and patents." It is also further enacted, "That the intendant of the revenue shall be, and hereby is empowered and required, to inquire into the several grants that have issued for lands within the said manor; and where it shall appear to him that such grants have been fraudulently or illegally obtained, that the attorney-general be directed to take such steps as will bring the validity of such grants to a legal decision."

From these recitals, the grounds upon which the legislature proceeded, are apparent. There was no complaint in the petition against the conduct of the commissioners. You have cautiously avoided entering into a minute detail of the evidence upon which you set the sale aside; had this been done, you would have condemned yourself. Although Mr. Hollyday's letter is evidence, that the commissioners were deceived as to the situation of the lots he purchased, yet it by no means follows, that they were deceived in the situation of other lots, or that the sale was made in a confused manner. It has already been observed, that no commission has been charged on the commission of lots affected by the claim of Pritchett Willey, or any other person, nor on those materially affected by patented land. It remains then for you to prove, that in every case where the sales were set aside, that the lots were totally different in soil, situation and improvements, from what appeared on the old plot, by which the commissioners were directed when they made the sale. I aver, and so the truth is, that there was no description of soil or improvements on the old plot; and that in general the sales were set aside upon the most frivolous pretences without ever hearing any testimony on behalf of the state. I am not now possessed of the evidence which governed your conduct, the depositions being in your possession, but I have the substance of them upon memory. You permitted one purchaser to retain such part of the lot he purchased as he thought proper, and relinquish the remainder, which he had sold shortly after the sale. It must be admitted by every dispassionate man, that if a purchaser had just cause to be released from his purchase, the whole ought to have been given up, and not a particular part. By retaining the most valuable part, and giving up that which is less valuable, the state must sustain an injury, because on a second sale of the part relinquished, it must sell for a less sum by the acre, than if the whole was sold together. You released another purchaser under a pretence set up, that there was more marsh and less upland than was expected at the time of the sale, when on recurring to the original sale, made by the very man whose deposition was taken, the contrary appeared. If the suggestion had been true, the purchaser could have had no pretence at law or in equity to be exonerated, as he knew that neither the quantity of marsh or upland was ascertained on the day of sale, and there could be no assertion of the commissioners as to the quantity of either, and the probable quantity only was mentioned in any case. Another reason why the sale of this lot ought not to have been set aside, is, that the proprietor at this time was not the original purchaser, nor was he a resident of the state at the time the sale was made, as I have been informed and believe, but had given a considerable premium for the purchase to the first purchaser; and after he had built several vessels, and destroyed the most valuable timber on the lot, and rendered it much less valuable than at the former sale, he was permitted, by you, to relinquish the purchase. Another purchaser suggested, that according to the former sale, all the land included in a particular lease was sold to him. The very reverse appeared on the face of the sale, and yet you exonerated him from the purchase. You permitted purchasers to swear for one another, when it was impossible that the party swearing could know whether he was swearing true or not. A. was permitted to swear that B. was deceived; and B. to swear, that at the time of the sale, A. conceived that his lot lay differently from what he apprehended. Pretences such as these, were deemed by you a sufficient justification for declaring the sale void, and directing a resale. If you had examined the original papers, then in your possession, you must have been convinced, that the procedure was unjustifiable. Although you was acting as trustee on behalf of the public, you never sought for information on behalf of the state; but upon this slight testimony, this *ex parte* hearing, the sale was set aside, not only in instances where you may pretend the evidence satisfied you, but in others where no application was made to you. Several of the purchasers declared, that they had never spoken to you, and insisted on retaining their purchase agreeable to the original sale, and do retain them to this hour.

Now, Sir, if it was admitted, that the right of the commissioners to a commission on the resale of Nanticoke manor, depended on the propriety of your conduct in declaring the sale void, what must be the determination? Whether the question should be decided in a court of law or equity, in my judgment, our right is clear and indisputable. Your argument, to prove that we are not entitled to a commission on the resale, because it is not expressly given by law, scarcely deserves to be considered. The two and an half per cent. commission was given in an act passed in January 1782, and it is never afterwards mentioned in any law directing the sale of confiscated property; so that if it proves any thing, it will prove that we are not entitled to a commission

on the sales of any property made in the years 1783, 1784 and 1785. You have said, that a charge of double commission on business finished but once, will readily be admitted to be extraordinary. It is answered, that the business of the first sale was completely finished; the bonds were taken and lodged in the treasury, and this appears in the recital of the act which authorized you to inquire into the circumstances of the sale, and of course, your acute reasoning will not apply; and upon your own principles you must give up the point. It is said, that the intention of the legislature must decide the question as to the legality of the charge, and that the principles of justice must determine the equity of the claim. Let me ask, if it is reasonable to suppose that the legislature, or any member of it, could expect that the sales would be set aside, unless it could be satisfactorily proved, that the purchasers had been deceived in the manner they had set forth? Was the intendant of the revenue, under the act referred to, to exercise an arbitrary discretion? These questions must be answered in the negative. Some certain rule ought to have been followed. It was the incumbent and indispensable duty of the intendant to have sought for evidence on behalf of the state. Written evidence could have been furnished, which must have countervailed the testimony he had taken on behalf of the purchasers, and a different conduct would have been adopted. You acknowledged before the governor and council, that one reason which, amongst others, induced you to set aside the sale, was, that you expected the manor would sell for more on a second sale than it did on the first. The event proved you were mistaken, and by declaring it void, and directing a resale, the state lost, by the difference between the two, and the consequent loss of interest, upwards of two thousand pounds. The legislature of the state of Maryland direct a particular service to be performed,—they appoint their trustees or agents, who are to have a stipulated reward, and proceed to discharge their trust, as they contend, according to the true and liberal construction of the act under which they derive their authority; the service is performed. Some time afterwards, those who have made contracts with the agents or trustees, who have acquired rights to, and created obligations on themselves, find it their interest to endeavour to exonerate themselves from their contracts and obligations thus entered into. They petition the general assembly to be exonerated, and allege, that they have been deceived as to the soil, situation and improvements, of the property purchased, but do not pretend to say, that there was fraud, or any intention to deceive, in the agents or trustees. The legislature appoint a third person to inquire into the circumstances of the case, and exonerate the purchasers if they have been deceived in the manner set forth. He makes the inquiry, and although he cannot say, upon the evidence disclosed, that they have been deceived as they represent, yet, as he has reason to believe that the state will be benefited by a second sale of the same property, he ventures to release the purchasers from their contracts. I ask, if there is a lawyer of character in the state who will assert, that because the purchasers are exonerated from their contracts, it follows as a consequence that the agents are to lose their commissions? I believe there is not one. If the loss of the commission is a necessary consequence of the exonerated of the purchaser, then would the right of the agent or trustee depend on the will of the individual appointed by the legislature to make the examination. They would be deprived of their rights, unheard, not in any established court of judicature, not by the judgment of their peers, nor by the law of the land, contrary to the principles of our declaration of rights, which ought to be ever inviolably adhered to. Had the legislature, in the act to vest certain powers in the intendant of the revenue respecting Nanticoke manor, inserted a clause to the following effect, "And be it enacted, That if it shall appear to the intendant of the revenue, that the purchasers of said manor were deceived as to the soil, situation and improvements, of the lots by them purchased in the manner set forth, then the commissioners shall not be entitled to any commission for their services;" I contend that this would not have deprived them of their right to the commission; and the law being contrary to the principles of the declaration of rights, would have been of no validity. A law repugnant to the principles of our declaration of rights, and not founded upon the immutable rules and principles of justice and equity, is in itself null and void; nor are the makers of it legislators, but oppressors. In vain would it be to attempt a superstructure, which can or ought to be approved, upon a foundation which merits nothing but indignation and contempt. Was I in the situation which your conduct, and arguments in support of it, would place me, I should consider myself deprived of the rights of a citizen of the state, and as much a slave as the subject of the most tyrannical and unlimited monarch on earth.

To consider the subject upon the principles of equity. I trust that there are few who will question the sincerity of the commissioners when they assert, that they were actuated by the motives they have suggested when they were making the sales; the reasons were assigned at the time; they were then transacting the public business for a *per diem* allowance. The sale of Nanticoke manor was the first upon which a commission was drawn; and as the act was passed after they left Annapolis, it was not

until after their return that they knew that they were entitled to any thing more than the *per diem* allowance. Had they been selling property in the year 1781 on commission, calumny and detraction might have assigned different motives. You have admitted that you believe their motives to have been as suggested. Their attention could not be turned to the business of the sales on the eastern shore, without neglecting those on the western, which were of much greater importance to the public. I may now ask, if this is a true and candid state of the case, and I aver that it is, if a court of equity would hesitate to give the stipulated reward? I conceive it would not. Upon a fair and liberal construction of that part of the act which directs the property to be laid off in convenient lots, considered in one sense, it means nothing more than a prohibition to sell the property in large parcels, whereby numbers would have been prevented from bidding to the great injury and disadvantage of the public. The words of the act are, "shall and may be laid off in convenient parcels by the commissioners, as they may judge most advantageous, and exposed to sale, &c." But suppose the chancellor should be of opinion that a survey was necessary, previous to a sale, would he hesitate to decree an equitable compensation for the service? And if an equitable compensation for reward, should be decreed, would it not exceed the two and an half per cent. commission?

It is insinuated by you, that at the time Mr. Hollyday and I remonstrated against the passage of the bills directing resales of Nanticoke manor, and of the unbonded property, that it was our own opinion that we should not be entitled to a commission on the resales. Your memory, Sir, serves you to recollect or forget, as best suits your purpose. There was not a syllable either in Mr. Hollyday's memorial, or my remonstrance, respecting the resale of Nanticoke manor. They were both on the subject of the resales of the unbonded property, and I stated in the strongest terms I could, my right to a commission on unbonded property, and I urged as one reason among others, "that the state was not injured, nor the delinquent purchasers benefited, by their not having bonded agreeably to law, as they were in general opulent in their circumstances, and the state might recover judgments upon suits being brought against them." Here it may not be amiss to observe, that when that remonstrance was laid before the legislature, it had been agitated in the house of delegates, whether the whole of the property that then remained unbonded should not be resold. It was to prevent the adoption of so pernicious a measure, which the house had been newly led into for want of proper information on the subject, that the remonstrance was preferred. If the act had passed with such a clause in it, I will undertake to say, that the state must have lost from forty to fifty thousand pounds. I foresee, that if such an act should pass, that the commissioners might be compelled to file a bill in chancery to recover their commission, but never entertained a doubt about their right to it; and this is known to every gentleman with whom I have conversed on the subject. If you will recollect, you must remember, that I expressed the same opinion to you, when application was made to you for payment of the commission arising on the resale of Nanticoke manor; and yet you will intimate that this is an opinion now taken up. My character has never been remarkable for the fluctuation of my opinions, or the verifiability of my conduct.

A commission has been charged on the resale of a lot of Monococy manor, which had been sold in September 1782; the lot was sold clear of incumbrance, as none appeared on the day of sale, nor was there indeed any. On the petition of Andrew Adams, the general assembly directed a resale of the lot by a resolve passed at November session 1783. As the resolve contains a state of the case, it is here inserted.

"Whereas it appears to this general assembly, that Martin Adams, late of Frederick county, in obtaining a lease for lives of certain lands on Monococy manor from the proprietary agent, by mistake had the name of Henry inserted instead of Andrew; and whereas the supposed life estate in the lands was, by will, afterwards bequeathed to the said Andrew; and whereas the lands have since been sold by the state, and the person in whom the right now is has declared his willingness to relinquish the purchase in favour of the petitioner: Resolved, That the commissioners for confiscated property, after due notice, do again set up to public sale the aforesaid lot of ground, distinguished on the present plot by No 29, for the use of Andrew Adams, his life therein, and sell the reversion to the highest bidder, on the same terms that the former sale was made, and that the treasurer deliver up any monies, certificates, or securities, which may have been paid in virtue of the former sale."

Can it be imagined by any reasonable man, that the commissioners were to perform these services without any compensation or reward? It is clear, beyond a doubt, that the resale was directed by the legislature, through favour to the petitioner, and not from any fault or mismanagement of the commissioners. Can it be supposed that it was the intention of any one member of the general assembly, that the commission on the resale was not to be paid? The bond of the purchaser at the former sale was taken, lodged in the treasury, and the greater

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I come now to speak of the commission on the resales directed by you to be made, under the act to establish funds, &c. This amounts to £. 218 3, and arises on the resale of the property sold under different acts of assembly, and purchased at the first sales by different persons.* To enable the reader to form an opinion on this subject, it is necessary that that clause of the act, under which the resales were directed, should be published. "And be it enacted, That every purchaser of confiscated British property, who hath not given bond, shall give bond before the first day of April next, with such security as the commissioners for the sale and preservation of confiscated British property, under the direction of the intendant of the revenue, shall require, for the payment of the purchase money with interest, agreeably to the contract, payable on the first day of January, seventeen hundred and ninety, with interest annually, to commence from the first day of September last; which indulgence of payment till the year seventeen hundred and ninety, shall not extend to such bonds as may be drawn for the redemption of emissions of June seventeen hundred and eighty, but they shall be paid at the same time as others drawn, notwithstanding the time of payment mentioned in such bonds; and if any purchaser or purchasers of confiscated British property shall neglect or omit to give bond with security as aforesaid, on or before the first day of April as aforesaid, the intendant of the revenue is hereby authorized and empowered, and expressly directed to enforce, by the mode directed by the ninth clause of the act passed April session, seventeen hundred and eighty-two, entitled, An act respecting claims to confiscated British property, and to direct the commissioners in certain cases, payment of the principal and interest due by contract from such purchaser or purchasers, if the said intendant shall judge such purchaser or purchasers able to pay the same, and if unable the contract shall be void, and shall be so declared by the said intendant, and the property shall be exposed to a second sale by the commissioners aforesaid, under the direction aforesaid, for current money, or all certificates before mentioned, payable the first day of January 1790, with interest annually." From a view of this clause it is apparent that no sale ought to have been declared void, and a resale directed, unless the purchaser was unable to pay. The evidence, on which you declared these sales void, and directed resales, has never yet been disclosed to the public. Some certain and fixed rule ought to have been pursued by you in judging of the ability or inability of the purchaser. Mere will and pleasure ought not to have been the guide. By exercising an arbitrary discretion,—by deciding at random and without proper inquiry, great injury has been done to the public; and the commissioners have been compelled *unnecessarily* to perform two services at a great and heavy expence, and I will undertake to say in cases where the purchasers were not unable to pay. On the former sales, when the purchasers refused or neglected to give bond agreeably to the terms of sale, the commissioners were authorized to declare the sale void, and to sell the property again, or to hold the purchaser liable. I believe it will not be denied that the property in the instances referred to, sold extravagantly high, and greatly beyond its actual worth. Impressed with this opinion, the commissioners made it a rule to insist on the sale, hold the purchasers to their contracts, and reject, without distinction, every application to relet the property. Upon a consideration of all circumstances, this was deemed the most eligible line of conduct, not only because it was the most advantageous to the state, but because if any one purchaser had ever been indulged with a resale, every one who had given a high price for property purchased, and had made an imprudent and hasty bargain, would have expected the same indulgence; and upon every resale there must have been a certain loss to the public. No attention was wanting in the commissioners, nor any expence spared by them, to induce a compliance. Notice was given in the Gazettes from time to time, and attendance frequently given in Baltimore town, in the neighbourhood of which most of the delinquent purchasers resided, to take bonds, but in a great measure without effect. Some urged, that they were creditors of the public, and that the state ought to discount their claims; others, that the property purchased was different from what they apprehended; and others, that claims were made which ought to be settled. These facts were often made known to you, and your advice to the commissioners was, to postpone bringing suits, and to state these circumstances to the general assembly, that they might take the subject into consideration. This was done session after session, and lists of those who had refused and neglected to bond, presented, stating the reasons of each individual purchaser for not bonding. Nothing final was done until November session 1784, when the act to establish funds, passed.—It is asked, if any rule of conscience will

warrant the person who was to do the business in demanding as much for doing *one half the work*, as if he had done the whole? It is answered, certainly not; but this is not the matter in dispute. The question is more properly stated when it is put upon this footing: An agent is employed by his principal to do a particular piece of business for a stipulated reward; the business is undertaken by the agent, and proceeded on until it is almost finished; all the trouble is gone through, all the expence incurred, and scarcely any thing remains to be done; difficulties arise, and application is made to the principal, to know what is to be done: can the principal, in this last stage of the business, appoint a third person, with power to say that the business shall not be completed in the manner first agreed, and so defeat the agent's right to the stipulated reward? Can the principal, at this stage of the business, direct, that every thing be begun and done a second time, without any new reward, or for the reward first stipulated only? Can he, at this stage of the business, dismiss his agent without making him compensation for his services? If a compensation is to be made, ought it to be any thing short of the stipulated reward, when it is considered that the agent has been at more trouble, and incurred greater expence, than if no difficulty had arisen, and the business had been completed agreeably to the original contract? If these questions cannot be answered in the affirmative, the right of the commissioners to the commission contended for, must be granted. It has been observed that "if on every resale a new commission was to arise, it would be obviously the interest of the officer to multiply sales, and of course not to finish the business." To this it is answered, that the commissioners have not, by their conduct, at any time, shewn a disposition to multiply sales, nor have they ever contended for such an absurdity, that on every resale a new commission was to arise; and it is denied that in any case, the sale was void, if bond was not given immediately.

It is admitted that equity would consider the whole circumstances of the case, and determine what was justly due, independent of stipulations for reward. This doctrine will operate most powerfully against you, and the justice of it cannot be disputed. If the commissioners are entitled to receive an equitable compensation for their services, independent of stipulations for reward, much is still due to them. They have not charged any commission on many sales which have been made where bonds were not taken, although no imputation of misconduct or mismanagement has been, or can be, made against them in these cases. By an act of April session 1782, c. 59, the commissioners were directed to sell the reserves in St. Mary's, Charles, Baltimore, and Harford counties, and on Monocacy manor in Frederick county, and Gunpowder, North-East, and Elk manors; and also those parts of the manors in St. Mary's, Charles, Kent, and Worcester counties, which then remained unsold, for specie, one third to be paid in thirty days, one other third in two years, and the residue in three years, from the day of sale. A preference was given by the act to tenants on manors, and settlers on reserves, of purchasing such parts of any manor or reserved lands as they were then settled on, upon paying such reasonable and moderate valuation therefor, as the commissioners or persons nominated by them should, on oath, determine. In consequence of this act the commissioners proceeded to have the business done. Attendance was given in Cecil, Harford, Baltimore, Frederick, Charles, and St. Mary's counties; proper persons were appointed, and qualified, to make the valuations of the different tracts and lots to be sold; the valuations were made, and in many cases bonds were taken agreeably to these valuations. For all these services which were attended with a heavy expence, the commissioners have never received one shilling. No additional labour remained to be done by them, but to take the bond of the purchaser where it had not been given before, upon his application for a titling to the register of the land office, and to give the titling. These sales, according to my calculation, would have amounted to about £. 30,000, and the commission on them of course would be £. 750. The intendant refused to confirm the valuations, because, in his opinion, they were too low; and it must be admitted that in many instances they were too low; but, I believe, it will be found that by making the proper allowances, for the difference between specie and certificates, agreeable to *his rate of exchange*, that his sales of this property have been equally low. Are not the commissioners as justly entitled to a compensation for these services, as any citizen of the state is entitled to the property he has acquired under sanction of law? In my judgment no honest man will dispute their right, though no charge was ever made by them.

To prove that we are not entitled to a commission on any resale, it is urged, that if the legislature had intended any commission, less than two and an half per cent. would have been given; that one and an half per cent. was thought enough for the intendant, and that no more would have been given to the commissioners, had it been in the view of the legislature, that they would be paid in specie. It is answer that if, during the war, when our affairs wore the most threatening aspect, it was necessary that three commissioners should be appointed to carry into effect the intentions of the legislature, and to make speedy sales of the property to answer the

most pressing and important public services, each commissioner, in justice and equity, ought to have been allowed as much for his services as you have been paid, *in time of peace*, when the business was less difficult, and attended with much less expence and trouble. You have boasted that your account of sales of confiscated property amounted to £. 154,296, sold by you between March and November, to upwards of 1500 persons, has been laid before the general assembly, and settled by the auditor. It is admitted that the gross amount of your sales amounts to that sum; but it is a fact that the reserves in Baltimore and Harford counties, and the manor in Cecil county, containing upwards of 100,000 acres of land, have been sold by you without previous surveys, and bonds taken from the purchasers for a supposed gross sum, and the quantity of acres left to be ascertained at a future period. Those who have a knowledge of this subject, who are acquainted with the number of persons who have passed their bonds, and the quantities of land for which they have been given, are convinced that the deductions, upon an actual survey, will be considerable; and that there is not nearly the quantity of land sold for which bonds are taken. Yet upon this gross amount you have charged commission and paid yourself, when you were both creditor and pay-master, not only without surveys previous to the sale, but without waiting until they could be made and the quantity of each purchaser ascertained; and that there are many disputes between the purchasers is a fact that cannot be denied.

You assert, that the commissioners sold property where the state's title was disputed, and where there was reason to suppose the claims set up to it were not without foundation. You allude, I presume, to the property sold Charles Ridgely and company, and which you directed to be resold. A state of the case will enable the public to judge of the motives which actuated the commissioner who attended the sale, and also of the propriety of your conduct in directing a resale of that property. The sale was in the month of February 1782, of a lot of land in Baltimore county, containing 610 acres, which belonged to the Nottingham Company, for £. 7320 black money. At the time of the sale three different claims were made to the property; colonel Ramsey had taken the opinion of able council, who advised him that the state's title was good. It was apparent that if the property was sold, subject to the claims, it must affect the price of it, and that the state would be greatly injured. To prevent this injury to the state, colonel Ramsey agreed to warrant the state's title; and in consequence of this, the property sold for the sum before mentioned. The act which directed the commissioners not to sell any property but what they were fully and clearly satisfied belonged to British subjects, is not the law under which this property was sold, nor is there any such clause in the act directing the sale of this property. If it should be insisted that this conduct ought to have been observed in all cases, it must be allowed that the conduct of the commissioner was justifiable, not only because the property would have sold for a mere trifle, if the right of the state only had been sold, but because, in the words of the act, the claims, in the opinion of the commissioner, did not appear to be well grounded in law or equity, nor were they such as the commissioner had reason to believe would be admitted by the general assembly. But his attention to the interest of the state, and his endeavours to promote its welfare, have been frustrated by your interposition. One of the claimants who purchased a dormant claim for a small consideration, has filed his bill in chancery; but without waiting the event of the suit, and without endeavouring to purchase the rights of the claimants, or to make any compromise which would tend to the advantage of the public, you directed a resale of the state's right to the land; and being sold, subject to the claims, and under the incumbency of the suit in chancery, it sold only for £. 910. It is now immaterial whether the state had a title or not; if the claims are not supportable, the state cannot be benefited. Suits were commenced by your direction against Mr. M'Alister, Mr. Croxall, and Mr. Young; the two latter were taken, the former escaped the vigilance of the sheriff. He is a resident of North-Carolina, and, according to information which I cannot doubt, is in affluent circumstances. I conceive it could not have been a matter of difficulty to have brought suit against him there, and to have recovered the money. In the other instances no suit was directed, but a resale ordered. If suit had been brought, the state must have had this advantage, that upon judgment being recovered, which may be at the first term, all the property of the debtors could have been taken in execution, besides that purchased from the public, the title to which can never be divested out of the state, until payment of the whole purchase money. It may be said, that this must have distressed, or perhaps ruined, the purchasers, but however laudable it may be in the state to be thus merciful, it certainly never can be urged as a reason that the commissioners should transact the public business without any compensation whatever.

Little need be said to expose the futility of the second objection to the account. According to custom, the sum has been exaggerated. I believe the list of balances, on the books of the commissioners, for which bonds were not given, and on which a commission has been charged, amounts nearly to £. 30,000; but when facts are stated, I flatter myself that there will not be a doubt entertained of their right to the commission. Under the act to establish funds, &c. if bonds were not given by a particular day, the purchasers were to be sued, or resales directed. You examined the list, were of opinion the purchasers were able to pay, and directed suits to be brought. The accounts were drawn off, and put into the hands of the attorney-general; suits have been commenced on the accounts, and judgments recovered for a great part of those debts. It appears to me that no reasonable man, competent to decide, will, upon examining the laws under which the commissioners acted; hesitate to say, that, when

* Charles Ridgely, and Co. £. 7320 black money. Colonel Peter Adams, £. 750 army certificates. Charles Croxall, £. 1835 army certificates. James Young, £. 173 army certificates. Archibald M'Alister, £. 2637 specie. Gabriel P. Vanborn, £. 982 16 3 specie. Robert Long, £. 12,294 10 specie. The three last payable in certificates under the act to establish funds, &c.

their accounts were stated, the balances ascertained, and the suits commenced, they are entitled to the commission. The business as to them is finished and at an end. It is acknowledged that if any purchaser should deny the purchase, it is incumbent on the commissioners to prove it, to entitle them to the commission: it is acknowledged that Stephen Steward, and company, are charged with the sum you mention on the commissioners books, and that they do not know who the company are, but they know very well who Stephen Steward is. You say that he denies having purchased the property, and that the commissioners cannot prove he did, and that they do not know who was the purchaser, and all this you assert with as much confidence and effrontery as if you believed one word of the matter. The circumstances of the sale were represented to you by me, and you afterwards conversed with major Yates on the subject, (as you informed me) and you were convinced that the sale was bona fide made, and that Mr. Steward had purchased the property; you examined the account of the sales returned by major Yates, who sold the property, and found that Stephen Steward, and company, were charged with it; and you were also informed by a gentleman, in my presence, that he was a bidder at the sale against Mr. Steward for some of this property, and that Mr. Steward actually did purchase it. In consequence of this, you wrote a letter to the commissioners and directed them to bring suit against all who should not bond by the 10th of September, and enclosed a list in which Mr. Steward is included. You denied, before the council, that there had been any sales in this case, but upon my producing your letter, and stating all the circumstances of the case, every doubt was removed. When the accounts were made out and delivered to the attorney general, the case was stated to him, and he did not entertain a doubt that the state could recover the money. It is clear that you were of the same opinion, or you would have ordered the property to be resold. Can any man of candour believe that in thus endeavouring to criminate the commissioners, you can be actuated by worthy motives?

Your third objection to the account is still more frivolous. Nothing but rooted prejudice, and disappointed malice and resentment could prompt a man to make the objection. Neither Mr. Hollyday or myself owed the state one shilling at the time our account was passed. So that if there was any solidity in your arguments, they do not apply; and yet you have hazarded an assertion that the commissioners have taken a credit to the year 1790. But I deny that your reasoning is founded upon the principles of law or justice. In a free government, where justice ought ever to be impartially administered, no distinction can be made between its citizens. The idea is quite familiar to you, but every man who wishes to make the law of the land the rule of his conduct must abhor and detest the principle. You were informed, during the investigation of our account, that neither Mr. Hollyday nor myself were indebted to the public, and yet you will persist in arguing against the conviction of your own understanding and conscience, and against the irresistible evidence of facts. With your innate modesty you declare, that you, who are a plain man, never could have thought of such an expedient as the laying out money in certificates. Your reliance on the ignorance of the public must be great indeed! Have you not, both in your public and private capacity, been engaged in this traffic for some time? Your late letter to Mr. Miller is evidence against you. So limited (I cannot say unbounded) is the ingenuity (and I may add the memory) of man!

Your fourth objection to the account is, that a quantity of coal and ore at the Lancashire works has not been accounted for in any manner to the state. It is astonishing that this matter should still be insisted on, after the explanations that have been given to it. The commissioners early in the month of April 1781, when they first took possession of the property belonging to the Principio Company, agreed with Mr. Thomas Russell, who was one of the company, and had been manager for them, to carry on the works on behalf of the state, and to account with the public for the produce and profits. In September 1781, the works were sold; but the coal and ore then on hand were not sold, as was insisted by Mr. Russell, and the commissioner who attended the sale; the purchaser of the Lancashire furnace claimed it, and alleged that he bought all the property on the land called Buck's Range, or Lancashire Furnace, except the negroes, live stock, and household furniture; it was insisted, on the other hand, that he bought the property with an exception of the negroes, stock, and household furniture, and thus the dispute arose. Mr. Russell claiming the coal and ore on behalf of the state, and Mr. Garretson, by virtue of his purchase of the Lancashire furnace; colonel Ramsey, who was convinced it had not been sold, wrote to Mr. Garretson to deliver it up, and informed him, at the same time, that if he could make it appear that he had a right to it, he should be paid for it. It remained under the care and management of Mr. Russell until the month of February 1782, when it was sold, and has been accounted for by the commissioners, so far as it came to their knowledge. It is alleged that there is a deficiency still unaccounted for, the quantity being much less in February 1782, than in September 1781. If it is so, Mr. Russell, and not the commissioners, is accountable; but I cannot suppose that this gentleman who was interested in the property, and a man of fair reputation and character, was privy to any waste or improper application of it. You may remember, that you have acknowledged, that from testimony which had been disclosed upon the arbitration between the state and Mr. Garretson, you were of opinion, that he had no right to it.

I have now gone through your objections to the account, so far as you have made them known, and I flatter myself, that I have not only shewn, that the right of the commissioners to the commission contended for is not only supportable, on the principles of law and equity, but that they are justly entitled to compensation

for services where no charge has been made: I have shewn, that according to your state of the question and reasoning upon the first objection, that when your errors are corrected, the commissioners would be entitled to more than they have contended for. Your second objection cannot be considered as serious, any further than my admission, that it is incumbent on the commissioners to prove the sales, in case any of them should be denied. In the instance you have mentioned, which I believe to be the only one, they proved it, by written evidence, to the satisfaction of the council. Your third and fourth objections are groundless, and without foundation. You say that the governor's opinion, so far as it respects the present controversy, agrees in substance with your own. Whether it does or not, I will not undertake to say; but I never supposed him to be under the influence of prejudice. If he understood the subject as you did, it is no wonder that he should have thought the claim unreasonable. But your reasoning is different, and it is easily discernible. His excellency seems to be mistaken in point of fact as to Nanticoke manor, because the first sale, on which commission was charged, was complete and finished; and I take it for granted, that the observation I made respecting the coal and ore must have escaped his excellency's recollection, or it could never have made a part of his protest. It is observed in the protest, that it does not appear to be just, that a commission should be charged on property which still remains unsettled and in controversy. Whether these words were meant to include the whole list of balances, even in cases where judgment has been obtained, or the disputed sales only, is uncertain. If the latter only are pointed at, it is to be observed, that property has been sold, for which suits are depending, upon the sales of which a commission will be due, should the suits be determined in favour of the state. It was observed to the governor and council, that this commission, it was thought, would be equal to any trifling deductions which hereafter might be adjudged proper to be made upon a future settlement, on account of claims or disputes; and the commissioners also expressed their willingness to give bond and security to be answerable for any such deductions.

In the discussion of this subject, I believe, it will not be thought by my countrymen that any insult has been offered to their understanding, or that I have contended for any thing which I did not, in my judgment and conscience, believe to be justly due. When the subject is rightly understood, a decision, the most unfavourable that could have taken place, would have made the difference of ninety pounds only, to me. Those who know me, will not be led to believe, that I could have been tempted by any thing to despicable, to hazard my character and reputation. But my integrity does not depend on the assertion of a man, who is acting in the triple capacity of accuser, party and judge. In my conduct, I have avoided the reproaches of my own heart, and I trust that I shall escape the censure of the world.

G. DUVALL

Annapolis, October 25, 1786.

[To be continued.]

BOSTON, September 29.

A LETTER from a gentleman at Exeter, the 24th inst. says, "They (the rioters who were made prisoners) have been examined—some of them appeared extremely humble and ashamed—they were led into the mischief by artful and designing men, who have kept themselves out of the way. The greater part were released, and sent home; but six of the most culpable are in prison, and are to be brought before the superior court to-morrow."

PHILADELPHIA, October 13.

We learn from Kentucky, that 1500 men, regularly draughted from the different settlements and townships of that district, have actually marched on an expedition against the Wabash Indians. They are to rendezvous at the Falls of the Ohio, and to be commanded by that distinguished warrior and partisan, General Clarke, of Virginia, whom the Indians dread and style the Big Knife.

Extract of a letter from an officer at the Rapids of Ohio, to a gentleman in this city.

"Camp, near the Rapids of Ohio, August, 25, 1786. "I have the pleasure to inform you, our troops from the Miami arrived at this place on the 15th instant, and yesterday we began to hunt.—In about one month I presume we will complete our buildings and finish a stockade.—A few days since, some horses were stolen from the neighbouring inhabitants, but whether by Indians, or a party of negroes who ran away about that time, is not ascertained; the former, however, bears the blame.—On the 10th of next month general Clarke marches into the Indian country with a powerful army: He proceeds immediately to their towns, which he intends laying in ashes, destroy their corn, kill and scalp as many as he may conquer.—This scourge they justly deserve, for immediately after, and at the time of the treaty, held at the Miami, they killed and plundered the inhabitants.—The settlers at Kentucky have lost upwards of five hundred horses during the summer.—Should this expedition be crowned with success, it will give peace to our frontiers for this year at least, and put a total stop to treaties hereafter, which it seems has answered no other purpose than that of spending public money, and serving the private purpose of a few designing men."

ANNAPOLIS, October 26.

October 23, 1786.

MR. JENIFER being in Dorchester county, attending business directed by the general assembly to be done, requests that the public judgment may be suspended upon the subjects in controversy between him and his adversaries, until he has an opportunity of examining and answering them.

Advertisements, &c. omitted, will be inserted in our next.

George-town, October 17, 1786. Just arrived, in the Patowmack Planter, from London, and for sale, by the package, and in invoices, from 300l. to 700l. sterling each,

A LARGE quantity of goods, consisting chiefly of coarse woollens, osnabrigs, brown rolls, and other useful articles. Cash, tobacco, wheat, state certificates, or final settlements, will be taken in payment. FORREST and STODDERT.

Annapolis, October 24, 1786.

By virtue of a decree of the high court of chancery, we the subscribers, nominated and appointed for the purpose, will offer for sale, at public vendue, on Tuesday the 7th of November next, on the premises, for ready money,

THE house and lot, the late dwelling of Mrs. Deborah Wilkins, and now in the occupation of Mr. William Wilkins; it is situated on South-east street and the corner of Charles street. A conveyance will be made to the purchaser or purchasers in fee simple.

1 No 9 High Street THOMAS HARWOOD, JOHN DAVIDSON.

October 26, 1786.

By virtue of a writ of *venditioni exponas* to me directed, from Anne-Arundel county court, will be exposed to public sale, on Wednesday the 8th day of November next, at the house of Elizabeth Lusby, administratrix of Jacob Lusby, deceased,

ONE negro girl, aged 15 years, a walnut desk, one ditto table, and a looking glass, for ready cash only. The sale to begin at 10 o'clock.

1 DAV'D STEUART, sheriff of Anne-Arundel county.

Annapolis, October 24, 1786.

To be SOLD, by AUCTION, for ready money, at the dwelling plantation of Mr. Thomas Beard, near Queen-Anne, on Thursday the 9th day of November next,

NINE country born negro slaves, men, women, and children. The above negroes are sold by the consent of Mr. Thomas Beard, to discharge a mortgage to the subscriber.

1 ALLEN QUINN.

October 23, 1786.

THE trustees of the late concern of Messrs. Baines and Ridgate, request a general meeting of the creditors, at Port-Tobacco-town, in Charles county, on Monday the 13th day of November next.

THIS is to give notice, that there are three pieces of cloth in my possession, that was brought to the fulling-mill of Gideon Gary, four or five years ago. The owner or owners are desired to take them away and pay charges.

1 Elizabeth Selby ELIZABETH GARY.

Broad-Creek, October 21, 1786.

ALL persons indebted to the estate of the late Enoch Magruder, are desired to make immediate payment, and those who have claims against it are requested to send them in legally attested, to

1057/6 D. MAGRUDER, executor.

LOST, on Saturday the sixth day of October, 1786, a final settlement CERTIFICATE, granted to Archibald Johnson, jun. signed by John Pierce, commissioner, and countersigned by John White, assistant-commissioner, for one hundred and twenty dollars, the date and number unknown; this to forewarn all persons from purchasing, or taking any assignment for the above certificate.

w 3 2 WALTER JOHNSON.



THERE is at the plantation of Thomas Rutland, near Annapolis, taken up as a stray, a black HORSE, branded on the near shoulder and buttock something like HB, on the off buttock thus 17, has a snip and a star in his forehead, short mane and witch tail, about fourteen hands high, and supposed to be ten years old. The owner may have him again on proving property and paying charges.

October 3, 1786.

NOTICE is hereby given, that a petition will be presented to the general assembly, at their next session, praying that an act may pass, explanatory of that part of the charter of the city of Annapolis which relates to the residence of the electors or free voters thereof. 3 8 w

NOTICE is hereby given, that we intend to take the depositions of witnesses to establish the will of Notley Maddox, late of Charles county, deceased, and to establish our right to lands devised from him, on Monday the twenty-seventh day of November next, at the house of Robert D. Semmes, in Port-Tobacco-town, of which all persons concerned are desired to take notice.

3 HENRY MADDOCKE, NOTLEY MADDOCKE.

George town, August 29, 1786.

THE inhabitants of Montgomery county intend to present a petition to the next general assembly, for two inspections of tobacco, at George-town, in the said county.

8 w

M A R Y L A N D G A Z E T T E

SUPPLEMENT to the MARYLAND GAZETTE.

THURSDAY, OCTOBER 26, 1786.

Charles county, September 20, 1786.

FOR SALE,

THE four following tracts of land, lying in Montgomery county, about twenty-five miles from George-town, and twenty from Frederick-town, viz. Conclusion and Number One, adjoining tracts, containing three hundred and sixty acres, about one hundred and fifty of which are cleared land under good fences; the improvements are, a good dwelling house, kitchen, barn, &c. and about four hundred bearing fruit trees. Part of Conclusion Increased, containing two hundred and twenty-nine acres, about eighty of which are cleared land, with a small log dwelling house, &c. and a few fruit trees; and part of Rich Land, containing three hundred and nineteen acres of unimproved land; the soil of the whole of these lands is well adapted for corn, wheat, or tobacco. Cash or tobacco will be taken in payment; one fourth to be paid by the first day of March next; three years credit will be given for the other three fourths, on giving bond on interest, with approved security. Any person inclining to purchase may see the land by applyg to Mr. Baker Howard, who lives on the first mentioned place.

4 X BENJAMIN REEDER.

Chester-town Races.

THE JOCKEY CLUB purse of SIXTY GUINEAS will be run for over a course near Chester-town, on Wednesday the first day of November next; and on Thursday the second, the residue of the subscriptions will be run for, the winning horse the preceding day excepted; the weights carried at both races will be agreeable to the rules laid down by the Jockey Club at Annapolis; any member of the club may start a horse, mare, or gelding belonging to any other person, provided he pays no consideration for the loan thereof, and is solely to receive the benefit of the plate if he should win.

The subscribers are requested to pay in their subscriptions to the secretary (Thomas Worrell) on or before the first day's race; the riders all to be properly dressed. The members of the club are requested to meet at the house of Edward Worrell, in Chester-town, on the day preceding the race precisely at twelve o'clock.

N. B. The first day's race will be four mile heats, and the second two mile heats.

2 X

October 17, 1786.

To be SOLD at PUBLIC VENDUE, on the 10th day of November next,

A VALUABLE tract of land, containing 520 acres, lying on Rock Creek, in Montgomery county, near colonel Magruder's; there are about 100 acres cleared, on which is a small dwelling-house, one 40 feet tobacco house, a corn house, negro quarter, a good orchard, and about 8 or 10 acres of valuable meadow in grass, and there may be made 50 acres more with a small expence; the soil is equal to any in that settlement. The terms will be made known on the day of sale.

2 X THOMAS O. WILLIAMS.

October 7, 1786.

WANTED,

A PERSON well skilled in the business of an overseer, particularly in the management of tobacco, and would undertake to overlook three contiguous plantations, with between twenty and thirty working hands, will meet with good encouragement, on application to the subscriber, in George-town. One who understands something of keeping accounts would be preferred, and must come well recommended for his capacity, to manage such an estate.

2 JOHN MURDOCK.

Caroline county, August 15, 1786.

PUBLIC notice is hereby given, that a petition will be preferred to the next general assembly, praying that an act may pass for the erecting the public buildings of said county at Choptank Bridge.

Port-Tobacco, September 16, 1786.

THIS is to give notice, that a petition will be presented to the next general assembly, that part of the main road which leads from Port-Tobacco to the old court-house, may be moved up a valley through the reverend Mr. Leonard Neale's plantation.

3

October 18, 1786.

Wanted immediately, As an overseer,

A MAN that is well acquainted with the management of a number of negroes, and understands farming; none need apply that cannot be well recommended; with or without a family will be immaterial; good encouragement will be given to a man that understands his business. Inquire of the Printers.

To be RENTED,

A VERY good grist-mill with two pair of stones, bolting-clothes, and every thing convenient, with a large meadow, lying on the Head of South river. Any person inclinable to rent may have possession in December.

2 FRANCIS RAWLINGS.

Annapolis, October 9, 1786.

FROM this day the subscriber intends to quit tavern keeping, and hopes all his old customers will call on him and pay off their respective accounts as he is in very great want of money; he would be very glad, such as cannot pay him would call and settle by note or bond.

He begs leave to inform the public, that he intends to keep a boarding-house by the year, half year, quarter, month, week, or day, as reasonable as any genteel boarding house in town. Any gentlemen or ladies that will favour him in that way with their custom, may depend on his doing every thing in his power to oblige.

3 X GILBERT MIDDLETON.

October 9, 1786.

I INTEND to petition the next general assembly for restitution of, or compensation for, that part of my confiscated property which remains unsold.

3 JOHN SHUTTLEWORTH.

THIS is to give notice, that I intend to prefer a petition to the next general assembly for an act to confirm my right to part of a tract of land, called Beall's Goodwill, the late property of Henry Hunter, deceased, which he devised to be sold.

4 THOMAS MORTON.

IN consequence of an advertisement of mine forewarning all persons, indebted at either of my stores in Virginia or Maryland, from settling any of their accounts with Mr. John Petty, that gentleman has been pleased to return for answer, that my prohibition was as unjust as my allegation was without foundation; that it was with concern he found himself under the necessity of entering into a public altercation about his private affairs, and should I persist in my unjustifiable accusations, a full account of my transactions with, and conduct towards, Yates and Petty, would enable an impartial public to judge which of the parties had the greatest reason to complain of ill treatment. I would beg leave to inform the gentleman, that it is as disagreeable to me as it can possibly be to him to appear in the public prints, though, at the same time, very willing to appear any where to justify that conduct which I have and hope ever shall be able to reconcile to my own conscience. As he has now broached the matter, I insist on his laying before the public my conduct to Yates and Petty, and trust I shall be very easily able to confute any untruths he may expect to impose upon the public, by an open and candid definition of the same; that my prohibition is unjust, is an assertion as illiberal as 'tis ungrounded. I hope those gentlemen indebted as before mentioned, will pay no attention to Mr. Petty's request of paying their respecting accounts to him, as it will only involve them in law-suits, for I am determined to sue every person that has or shall pay any money to Mr. Petty (for dealings at either of my stores previous to the fourth of February) since the public notice I have given.

THOMAS RUTLAND.

September 23, 1786.

THIS is to give notice, that sundry of the inhabitants of Montgomery, Frederick, and Washington counties, intend to present a petition to the next general assembly, for one more inspection for tobacco, at George-town, on Patowmack river.

4 & w

he act to establish the affairs of the d not be fopner tion without any had been com- pretty clearly obtained sooner re October term t your assertion, iments are now a, is groundless, e report of the he accounts and during the last to the commit- d to complete ounts; and by , much delay it by a variety eys; pur-hfers nens for public ulti to ascertain by disputes in rry were in- act to establish of bonds have been at- nd upon an im- nmillions, are rged their trust

cannot suppose s reason, can be intentionally de- counts. In my Stupidity may sometimes seem the plain evi- You have assert- by the delay accounts; this is The public has of the commis- been sustained u directed, it is by any rational ficers. If the lly involent and need them, the if they were able dy set aside, ic know to whom

has prompted elay of the com- the public in- tle; their trans- the hoefe of de- ry information; ntendant was an millions never respect to your ve induced them it you were of it; so that your them. No mor- h, the commis- have wished to accounts. What use of delegates ey applied to the as furnished. If n respecting the e can easily ac-

have transacted It had been pre- fissioners. Many trouble or ex- to the public. stances can be n sold for less d of his real accounts his as the man- tal to the pur- orts for a g: s- million illegally and unjustly drawn upon the whole amount, although it may hereaf er be necessary, for the reasons I have already given, upon a proper set- tlement of your accounts, to make such a deduction. It is not a little wonderful that in pay- ing yourself the commission, that the doctrine of dis-

† George Digges, John Bracco Zephariah Turner, Allen Quynn, and Thomas Crampton, Esquires.

appointed to sit for, during the absence of Mr. Hollyday, colonel Ramsey, and myself, transacted the business until November 1782. when a resignation by me became necessary on my acceptance of a seat in council. From that time, Mr. Hollyday and colonel Ramsey continued the business, until the resignation of the latter sometime in August or September 1784. In September, I was re-appointed, and the business of the commissi- oners was finished by Mr. Hollyday and myself, and our accounts closed, in December 1785.

and property were not... d until late in the year 1785; and you will also find, that some of the sales of property in those years were set aside by you, and relates directed, after the passage of the act to establish funds, &c. in 1785. If you were as industrious in your inquiries after truth as you have been in hunting up frivolous charges against the commissi- oners, you might satisfy yourself of the propriety of their conduct, without stuffing a news-paper with such silly and impertinent questions. You have af-

their accounts were stated, the balances ascertained, and the suits commenced, they are entitled to the commission. The business as to them is finished and at end. It is should deny the missioners to sion: it is a company, are the commission who the com Stephen Stewa purchased the cannot prove was the purcha confidence and of the matter. presented to you with major Ya me) and you file made, and property; you turned by maj found that St charged with it tleman, in my sale against Mr. that Mr. Stewa quence of this, and directed the not bond by the in which Mr. S fore the council case, but upon all the circumst moved. When livered to the him, and he could recover of the same opi property to be lieve that in th missioners, you Your third volous. Both pointed malice make the object owed the state passed. So th guments, they zarded an asse a credit to the soning is found. In a free gover impartially adm twen its citize but every man the rule of his ciple. You we of our account, felt were indebt silt in arguing derstanding and evidence of fact clare, that you thought of such in certificates. public must be your, ublic and traffic for some is evidence aga bounded) is th of man!

Your fourth quantity of coal not been accou is astonishing th after the explan comm sioners e they first took p the Principio Cr fell, who was o nager for them, state, and to ac and profits. In but the coal and insited by Mr. tended the sal nace claimed i property on the shire Furnace, hold furniture; he bought the g, groes, stock, and pute arose. M behalf of the sta purchase of the who was convin Garretson to de same time, that a right to it, f under the care the month of F has been accout it came to their a deficiency still much less in Fe If it is so, Mr. accountable; t who was intere, reputation an improper app you have ac had been dis state and Mr. C had no right io

I have now gone through your objections to the account, so far as you have made them known, and I flatter myself, that I have not only shewn, that the right of the commissioners to the commission contended for is not only supportable, on the principles of law and equity, but that they are justly entitled to compen-

tion for services where no charge has been made: I have shewn, that according to your state of the question and reasoning upon the subject, that when your

ANNAPOLIS RACES.

ON Friday the 10th of November, 1786, will be run for over the course near Annapolis, a subscription PURSE of SIXTY POUNDS, free for any horse, mare, or gelding, except the horse winning the Jockey Club purse; heats four miles each; four years old to carry seven stone, five years old to carry seven stone ten pounds, six years old to carry eight stone seven pounds, aged nine stone.

On Saturday the 11th of November, a PURSE of THIRTY POUNDS, free for any horse, mare, or gelding, of three and four years old, four years old to carry seven stone, three years old a feather; heats two miles each.

Any horse winning two clear heats to be entitled to the purse; three horses to start each day or no race, the winning horse the first day excluded the second day.

No member of the Jockey Club, resident of Annapolis, or Anne-Arundel county, that has not subscribed one guinea to the town purses, to be allowed to start a horse, nor will any horse, mare, or gelding, belonging to such a member be allowed to start.

Entrance the first day eight dollars, and for the second four dollars; the horses to be entered with Mr. George Mann the day preceding the race, or pay double entrance at the post, and to start each day at eleven o'clock. Proper judges will be appointed for the race.

2

Annapolis, August 9, 1786.

WHEREAS Mr. Thomas Rutland hath thought proper to publish an advertisement forewarning all persons indebted for dealings at either of his stores in Virginia or Maryland, from paying any money to Mr. John Petty, in behalf of the firm of Yates and Petty, and has assigned for the reason of such publication, that the said Petty had broken the award determined on by gentlemen mutually chosen to adjust their differences, I think it proper to inform the public, that the prohibition of Mr. Rutland is as unjust as his allegation in this respect is without foundation. The supposed breach of the arbitration arises in his opinion, as far as I can conjecture, on the suit commenced by Yates and Petty for the recovery of a very considerable balance due to them from Mr. Rutland, but a little reflection must convince him that his conduct in disposing of a considerable part of his estate, subsequent to the award, rendered this step absolutely necessary, and that Yates and Petty are fully justified in pursuing it, by the terms of the award made by the gentlemen appointed, of which all persons may be fully satisfied by applying at the store of Mr. Petty, in Annapolis. It is with concern that the subscriber finds himself under the necessity of entering into a public altercation respecting his private affairs, but should Mr. Rutland persist in his unjustifiable accusations, a full account of his transactions with and conduct towards Yates and Petty, will enable an impartial public to judge which of the parties has the greatest reason to complain of ill treatment.

The subscriber takes this opportunity of requesting all persons indebted for dealings at the stores (late Mr. Rutland's) in Virginia or Maryland, to make him immediate payment of their respective accounts, or he shall be under the necessity of making use of compulsory measures to recover the same, which will be very disagreeable to their

9 Most obedient humble servant,
JOHN PETTY.

Annapolis, July 21, 1786.

Lands for Sale.

THE subscriber has for sale all that tract of land called Beall's Plantation and Snowden's Reputation Supported, containing about 700 acres, situated on the Head of South river, about three miles from navigable water, and contiguous to the estate of Mr. Richard Hopkins, of Gerard.

This is a most eligible situation, being about twelve miles from the city of Annapolis, twenty-eight from Baltimore-town, twenty-four from George-town, and seven from the inspection houses of Indian Landing and Queen-Anne, is well adapted for corn, wheat, and particularly tobacco, also well timbered and watered, a very good mill stream runs through it; there is some meadow ground, and much more may be made.

The improvements upon it are, a good dwelling house with three large rooms on each floor, kitchen, quarter, cornhouse, stables, tobacco house, a very fine apple orchard, together with a number of other valuable fruit trees.

Mr. Richard Hopkins will shew the premises above mentioned; further particulars may be had of the printers, of Messieurs William Patterfon and brothers, Baltimore, or of

13 JOHN WADDINGTON, in Philadelphia.

attending business directed by the general assembly to be done, requests that the public judgment may be suspended upon the subjects in controversy between him and his adversaries, until he has an opportunity of examining and answering them.

Advertisements, &c. omitted, will be inserted in our next.

George-town, October 17, 1786. Just arrived, in the Patowmack Planter, from London, and for sale, by the

Nottingham, Patuxent river, Prince-George's county, September 15, 1786.

PUBLIC SALE,

OF a very valuable estate, by virtue of a deed of trust from Mr. Walter Brooke-Cox and Anne his wife, to Fielder Bowie and Anne Cox, executrix of Thomas Smith Cox, bearing date the 9th of May 1786, which said deed of trust was made by the said Mr. Walter Brooke Cox, in consequence of the said Fielder Bowie and Thomas Smith Cox, deceased, having become security for the said Mr. Walter Brooke Cox to Samuel Hughes, Esq; and for which said debt judgment hath been obtained, and execution issued against the principal and his securities, for the payment of which, will be exposed to public sale, on Thursday the 14th of December next, if fair, it not the next fair day, on the premises, for ready money, the following tracts or parcels of land; Orchard, containing 190 acres; Quick Sale, 52; Part of Twiford, containing 108; Part Littleworth, containing 20 acres; and Good Luck, 39 acres; in the whole making 499 acres; all which said lands lieth adjoining to each other, and situate within half a mile of the town of Nottingham, on Patuxent river. This land is very level, and well adapted to corn, wheat, rye, and tobacco, and has the advantage of an extensive range for all kinds of stock, with wood sufficient to support the whole with care. On the premises are, a convenient dwelling house, kitchen, meat house, corn house, three tobacco houses, and two negro quarters, all in but bad repair, two small orchards of excellent fruit; part of this plantation is under good fence. This land will be sold as will best suit, together or separate; the title thereof is indisputable. At the same time and place will be sold, one other tract of land, it is the present residence of Mr. Walter Brooke Cox, containing about 128 acres, on which are, a good and convenient dwelling house, kitchen, quarter, corn house, &c. &c. There is likewise on this tract a great variety of fruits; it is a beautiful situation, and the soil good, and has a never failing spring of good water near the buildings.

And on Monday the 18th of December next, if fair, if not the next fair day, will be sold on the same terms, the following tract of land, in Montgomery county, about 8 miles from Bladensburg, 10 from George-town, and 35 from Baltimore-town, containing 517 acres, on this place is erected a convenient and comfortable dwelling house 38 by 28, with three rooms and a passage below, two rooms above stairs, and brick chimnies, with all necessary outhouses, such as kitchen, negro quarters, stables, and tobacco houses; there are also on this land, about half a mile from the former, a good dwelling house with stone chimnies, and all necessary outouses; there are a great variety of fruit trees of all kinds on both these tenements; the soil is well adapted to the cultivation of corn, wheat, and tobacco, and as it is so conveniently situated to those several capital and improving trading towns, there cannot be a doubt but it will become very valuable in a few years. And also, on Thursday the 14th of December, will be sold to the highest bidder, nineteen valuable country born slaves, consisting of men, women, boys, and girls; also all the horses and cattle, among which are some valuable oxen, and all the plantation utensils. Attendance will be given on the days appointed, by

6 FIELDER BOWIE,
ANNE COX, executrix of
Thomas S. Cox.

ANNAPOLIS RACES.

THE Jockey Club PURSE will be run for over a course near Annapolis, on the second Thursday of November next, weights as usual, any member of the Club may start a horse, mare, or gelding, although not his own property, provided he pays no consideration whatever for the loan thereof, and is solely to receive the benefit of the plate, should he win. The members of the Club are desired to pay in their subscriptions for the present year to Mr. George Mann, on or before the first day of November next, and all those gentlemen who are in arrear are most earnestly requested to pay them up by that time. The members of the Club are requested to meet at Mr. Mann's the day before the race, precisely at twelve o'clock.

Prince-George's county, August 27, 1786.

THE subscribers request all persons who may have any claims against the estate of Levin Covington, late of the county aforesaid, deceased, to send them in immediately, properly authenticated, as they intend to pass a final account on the said estate in October next.

4 SUSANNAH COVINGTON, administratrix,
LEVIN MACKALL, administrator.

3 NOTLEY MADDOCKE.
George town, August 29, 1786.

THE inhabitants of Montgomery county intend to present a petition to the next general assembly, for two inspections of tobacco, at George-town, in the said county.

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