EASTON GAZETTE.

WHERE THE PRESS IS FREE--"Literature well or ill-conducted, is the Great Engine by which Popular States must ultimately be supported or overthrown."
RELIGION purifies the Heart and teaches us our Duty--Morality rehnes the Manners--Agriculte makes us Rich and Politics provides for the enjoyment of all.

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COMMUNICATED.

To the Public generally and the inhabitants of Denton particularly.

In presenting myself to your notice I profess to be governed by no uncontrolable circumstances, but to act entirely under a conviction, that silence would be reprehensible, at least, if not criminal, and that forbearance would, in effect be injustice both to you and to myself, I claim your attention then on the ground as well of self justification, as that you are more or less interested in the exposition which I am about to offer to your consideration.

When the infinitely wise Creato impressed on the soul of man even, of the most infamous villain, an abhorrence of the *name or character of infamous*, he thereby made it his birth-right, and vested him with the inalienable prerogative to defend his reputation against unmeritted reproach, to vindicate himself against every malignant, false, foul and defamatory imputation—and to hurl them back with proud defiance in the slanderer's teeth, and in as much as every community is, at least morally, interested in the good name of each of its members, so every member of the community is vested with a moral right to claim of the community of which he is a member, a fair, candid and impartial consideration of his defence and vindication of his good name: I offer these few preliminary observations as an apology for trespassing on your time and patience, fully persuaded that if deemed insufficient, an ample apology will be found in a candid, [illegible] examination of the following statement.

In the evening of the day of its date I received the following note from Jas. Sangston.

DENTON, July 19th 1831.

SIR,

Did or did you not state to the Levey Court som short time past that theire was in my hands one Hundred and Sixty Dollars of moneys belonging to the Corporation of the village of Denton or not, if not one Hundred and Sixty Dollars, what sum did you say was in my hands, or did you never bring such a charge against me as above stated as their being money in my hands which I had refused to account for—or did you bring it aganst the commissioners as a body, or aganst neather thouse questions you will please to answer.

which will Ob'l. yours, &c.
JAS. SANGSTON.

To which note I returned the following answer.

DENTON, July 23rd 1831.

SIR,

I received your note of the 19th inst. the evening of the same day, and should have attended to it a little sooner, had I not been prevented by a very bad state of health. But you have a right to an answer, and although, too weak and unwell, to set up without pain I have placed myself at my desk to gratify that right.

I have it not on my mind, nor can I recollect verbatim, the statement I made to the Levy court; but I have frequently stated not to the Levy Court only, but to many others, and without any injunction of secrecy, substantially what follows. That Major John Young, whilst a member of the board of Commissioners of the village of Denton, discovered a deficiency of about one hundred and eighty dollars, or from one to 300 dollars, in the funds of the corporation *unaccounted for*; that he had employed an eminent attorney to bring suit on the *Bailiff's* bond for the recovery of that deficiency for the use of the board of commissioners of the village or to compel him at least to produce his proofs and vouchers to support his allegations of payment to the Treasurer, of the corporation of the monies he had collected as a necessary, preliminary step, to compel the Treasurer to account that before the order to bring the suit was received by the Clerk, Major Young had been defeated in his expectation of a re-election as a member of the board of commissioners and declined to prosecute the suit on his individual responsibility, and there the matter ended.—The Bailiff however, according to Major Young, alledged that he had paid over to the Treasurer all the money which he had collected. & the Treasurer denied that he had received it, you sir, were the treasurer and Gove Saulsbury the bailiff.—The Bailiff it appeared had no vouchers, nor any thing beside his naked word to support his allegation of payments, or if he had, did not condescend to produce them, and you sir, were not disposed to acknowledge the payments, without the production of vouchers to prove them. Now sir, predicated partly on the above circumstances detailed in the preceding statement, and partly on other circumstances or facts which I deem it unnecessary now to state, I have often and unreservedly expressed my belief that you did receive the money, or the greater part of it, I still believe it, and shall believe it until the contrary is satisfactorily proved; but I never did state peremptorily & positively, because I did not know positively, that you had received it, and because I did think, and still think it probable that you and the Bailiff shared the money between you.—Now sir, will you or can you tell how, in what manner or to what purposes, the funds of the corporation have been applied or disbursed? It has been stated that the taxes actually collected annually, amount to between eighty and one hundred dollars; let us then take eighty dollars, the minimum, as the average & at that rate the taxes collected in the last fifteen years, amount to the sum of twelve hundred dollars; what has become of all this sum? Has it all been expended in the building of the market house? the taking up of two pumps, and filling up the wells? the sinking of another well and pump, and the repairs of the streets? every citizen of Denton has a right to make the inquiry, and the board of commissioners, of which, I believe, you have been a member for the last fifteen years, at least, are in my Judgment bound in justice to themselves, to answer the inquiry.

Yours &c.
JO. RICHARDSON.

The above answer was written in a state of indisposition and debility, from which I have not yet recovered, that disqualified me for any business, I imagined, however, that it was a sufficient answer to the interrogatories propounded by Mr. Sangston in his first note. He, I [illegible] replied to it as follows.

DENTON, July 27th 1831.

SIR,

I have rec'd. yours of the 23th Instant and notised the contents, which clarly amounts to what I expected from such a corrupt source, my letter to you caled for answers to plain and simple questions requireing only yes or no to each of them, and the truth without any evasion whatever, why did you not answer the first by admitting that you did state to the Court that their was in my hands 160 dollars, which I refused to account for, I only wanted you to acknowledge the charge as I believe you said it, notwithstanding your contradiction, and as respects your auther Major Young who has been dead for about ten years, contradicts itself in that of what you said he intended to do in suing the Bailiff on his bond &c. you state that before the order had been rec'd. by the Clerk to bring a suit Major Young was defeated in his expectation of a re-election here you expose yourself at once of ignerance or maliciousness as all and every commissioner of the place is elected for life then how could the Major be defeated in his re-election, as stated by you, I never knew a member to resign for the purpose of trying it over again, but perhaps you have as you appear to be one of thouse knowing ones in matters that do not concern you to injure your neighbour who has never said one word in all his life to injure you only in self defence why did the *Major* not only apply to the Commissioners for an order to be entered on their proceedings to bring the suit against the collector, and not the Bailiff. as you state on his bond, but the collector on his bond, this was the first and proper step to get the order passed by a majority of the board, and then appointed one member or more to attend to the suit, but the Major never did apply for an order, that I ever heard of, and if he had, the board would of paid no attention to such stuff, as they were gentlemen, & knew their business to well to spend the publics money for foolish law suits, and you presume to say that it was owing to his defeat in his re-election blush o monster for shame if you ever did at such barfaced statements, perhaps you have fancied to yourself that the Major had all power in his hands, as you are disposed vainly to think you have som times on certain occasions but if you have, the Major had not, no wonder then that the Major declined it on his own responsibility or yours either, as I have no doubt yours was at his service if it took the last dollar out of your pocket, I should like to se the Majors order to commence a suit, as you were the Clerk of the county at the time, do suppose you have taken good cear of it, if you ever rec'd. one, cannot you manufacture something that has som shadow of truth on the face of it against your neighbour if not perhaps you had better call on som friend or neighbour to help you out, if you can find one of your own stamp, as to your opinion or belief, of the money stated by you to have been paid &c it is to contemptable even to notice, your statement of the money rec'd. for the last fifteen years comes nearer the truth then any you made, it is a little more then half the amount stated by you to have been rec'd there has been years in which no Taxes has been levied on the town, that you are ignorant of alsow, If I only can get proof of your rascality & meanness towards me, you may depend on it I will score you for such base and wicked charges.

Yours &
JAS. SANGSTON.

This farrago of calumny, falsehood, whining, nonsense, malignity and menace excited no other sensation in my mind, than a feeling of pity and surprise, that the foolish man should entertain no more respect for himself, than to compel me, in self justification, to an exposition of facts that must inevitably result to his own shame, mortification and disgrace, with a view to this exposition I sent him the following note.

DENTON, Aug. 2d 1831.

SIR,

On my part, this note will close our private correspondence, which as soon as my health will permit me to make the necessary arrangements, will be published in the Intelligencer, together with some notice of your last communication, of the 27th ult. and other matter that will furnish the public with som data to enable them to decide, to whom the charges of corruption & rascality apply with equal justice and force, to Jas Sangston or to

JO. RICHARDSON.

It requires but a very moderate share of sagacity to discover that the *scoring* menaced at the close of Sangston's last communication, means nothing more nor less than an action at law, & if my conjecture is correct, I never should have received his first [illegible] in his efforts to collect testimony, from the members of the Levy Court, sufficient to sustain a suit against me. Disappointed in this quarter he, as a dernier resort I presume, resolved to appeal to myself hoping, probably, by what he thought a cunning construction of his questions, to ensnare me into an acknowledgment that would answer his purpose. But defeated in his expectations, here too, he then gave vent to the rage of disappointment in vituperation, calumny, whining, malignity and menace, in his second communication, in which I can indeed discover a feeble attempt to shuffle away the suspicion of fraud in the management of the funds of the corporation, but not one solitary sentence or word in refutation of it. He commences his second letter with an acknowledgement of the receipt of my answer to his first, and that he had "*notised its contents*." He must then have noticed that its contents substantially agreed with the evidence he had previously collected from the several members of the Levy Court; if he had "*notised its contents*" he must then have noticed also that they furnish him with no pretext for the broad, unqualified and general, base unfounded and calumnious charge of *corruption* which he has brought against me He must, or ought to have noticed, that this charge of corruption, was nothing more than the simple picture of his own guilty conscience reflected in the mirror of his disordered imagination, a mere delusion of his evil genius. I shall not however pursue the course with him, which he is desirous to take with me; I will not sue him on this charge until he leads the way, neither will I retort it, but if in the course of this address I should fix it on him, in particular instances, beyond the power of scepticism to doubt, he must charge the blame to his own folly, I shall now leave it for the present and pass on to his next observation, "my letter to you caled for answers to plain and simple questions requiring only yes or no to each of them and the truth without any evasion."—My first note was intended to answer his "plain and simple questions," with the naked truth, but not with a simple *yes* or *no*,—I could not answer any of them with, *yes* without being guilty of falsehood—nor with a simple *no* because I should have been guilty of an evasion—I *never* did state *positively*, that Sangston had *a hundred and sixty* dollars of the funds of the corporation in his hands, which he refused to account for; nor did I ever make such a statement against the commissioners as a body. This I aver with a clear conscience, but then to have answered Sangston's questions thus, without any thing farther, would have been a real evasion, in as much, as it would have kept out of view what I really did state. This however is what Sangston did not wish to hear. "He only wanted me to acknowledge the charge as he believed I said it" he did not wish to hear the truth, but it was my choice that he should hear it, and therefore I answered his questions by stating as my opinion and belief that there was a deficiency of about *one hundred and eighty* dollars, or from one to three hundred dollars *unaccounted for*, and believed that Sangston had received the money or the greater part of it, this is the truth without any evasion, which although it has so much excited the ire of the redoubtable Sangston, has not as far as I can see had the effect to draw any thing from him to remove or counteract this opinion, on the contrary, his persisting in the sum of *a hundred and sixty* dollars, militates against every idea of his innocence and indicates clearly to my mind that he not only knows the precise amount deficient but also where that amount lies—"I only wanted you says Sangston) "to acknowledge the charge as I believe you said it—notwithstanding your contradiction." Now let me ask, if any man of candour, or common sense, can be so easily deceived as to credit Sangston's veracity when he says "*as I believe you said it*."? "*as I believe you said it*"? How can he believe so when the evidence of the persons he had consulted on the subject went directly to oppose that belief and to show that it was false and unfounded, such at least, under all known circumstances is the fair inference to be drawn; for if otherwise, if the evidence had tended to corroberate his corrupt statement of the matter, there is no room to doubt, that before this, the number of suits on the appearance Docket to October Term, would have been enhanced by one at least. But he adds "nowithstanding your contradiction"—my contradiction of the false colouring he has given to the statement I made the Levy Court, would not have been a sufficient bar to his intended suit, if it had not been previously corroborated by similar contradictions on the part of the several members of the Levy Court, he had effectually placed the correctness of my contradiction beyond the reach of cavil.

But it appears that I have fallen into an error in stating that Major Young was defeated in his expectation of a re-election as a member of the board of commissioners. I acknowledge this error, and that I was betrayed into it by placing too much reliance on a treacherous memory, or by ignorance if that will be more gratifying to the *learned Sangston* but not from "*maliciousness*"—If I know myself, I never act from malicious motives—arise however from whatever cause it might it will avail Sangston nothing, for as much as it does not in any manner affect the truth and validity of the fact that *Maj.* Young ordered the suit to be brought, & afterwards, no matter for what reasons, countermanded that order, or declined to prosecute it. The order will speak for itself and as Sangston, in a subsequent part of his letters, expresses a wish to *se* it, I will for a moment interrupt the continuity of my remarks to gratify his curiosity.

EASTON, 24th Aug't. 1821.

Dear Sir,

Issue capias ag't. Gove Saulsbury, Thomas Saulsbury and George A. Smith, late of Caroline County, gentlemen, to answer unto the State of Maryland, in a plea, that they render unto her, the sum of eight hundred dollars, current money of Maryland, which unto her they owe and unjustly detain, and so forth—Indorse this writ as issued at the instance & for the use of the Commissioners of the village of Denton. Before you issue in the above case be pleased to consult Major John Young, *who put the business in my hands*, & act under his directions either to issue or not issue.

Addressed to, Joseph Richardson, Esq. *Clerk of Caroline county Court.**

There is the order; that the suit never was brought will appear from the docket; the reason why is of no consequence.—Having, I presume, removed Sangston's doubts, as to the existence of the order, and gratified his curiosity to *se* it, I will now resume my remarks on the preceding parts of his letter, and follow where-ever he may lead me. He seems to be of opinion that I am not concerned in, and of course, have no right to inquire into the misapplication of the funds of the corporation; his language is, "you appear to be one of *thouse* knowing ones in matters that do not concern you to injure your neighbour." What, now, is the matter in question? why simply and in plain English, nothing more nor less than peculation of the funds of the corporation. And am I not concerned in this matter? am I not a free citizen of the village? do I not pay a town tax? and have I no right to inquire if that tax has been honestly applied to the purposes contemplated by the act of incorporation and its supplements? O! no, not in Sangston's opinion, because the inquiry may injure my neighbour. But if my neighbour has acted honestly in the application of the funds, what injury can he sustain by the inquiry? On the contrary the very institution of the inquiry itself gives him an opportunity to acquit himself of all censure and suspicion of mal-practice in the discharge of his official duty as an officer of the corporation, if indeed he has acted with good faith and honesty in the discharge of that duty; and if he has not thus acted, but fraudulently purloined from the Treasury, the funds of the Corporation and applied them to his own purposes, should he not in justice to the corporation be dragged before the public and compelled to disgorge them? I do not assert positively that Sangston is guilty, but I do say that the current of suspicion sets strongly against him, and I say further that his apparent determination not to give an account of his stewardship strengthens the set of that current. There is but one plain straight forward road for Sangston to follow in order to acquit himself of censure and suspicion; that is to come forward with a fair and full statement of the receipts and disbursements of the funds of the corporation supported by competent vouchers. No subterfuge, no stratagem, no art, no cunning will avail him; he will either have to submit to the imputation of guilt, or come out with a statement. But to his letter. He in the next place asks "why did the Major not apply to the Commissioners for an order to be entered on their proceedings to bring the suit against the Collector, and not the Bailiff, as you state on his bond, but the Collectors bond?" In the first place I will ask, in reply to this bungling question, what section of the act of Assembly erecting Denton into a village, or what section of any of the several supplements, to the original act of incorporation, recognizes any such officer of the corporation as a *Collector*? or vests the commissioners of the village with power and authority to create such an officer, distinct from the Bailiff. The first time [illegible] for the power to make by-laws, "for the regulation and good government of the said village and the inhabitants thereof, and to restrain all disorders and disturbances and to prevent all nuisances, inconveniences and annoyances, within the said village," &c. Section 6th authorises them to appoint a bailiff, prescribes the form of his oath or affirmation of office, as the case may be—in what manner he shall bond—the penalty of his bond—and the duties to be performed by him. Section 9th provides, That "if any person or persons shall refuse or neglect to pay the taxes, fines and forfeitures respectively charged against them by virtue of this act, it shall and may be lawful for the said *Commissioners* to collect the same in the same manner, and with the same costs, that small debts are collected out of court." The supplement of 1815, chap 207, repeals the above 9th section and provides that in cases of refusal or neglect to pay the *taxes*, "it shall and may be lawful for the commissioners of Denton to collect the same in the same manner that the County taxes are collected." The 10th section of the act of 1826, chap. 106, again repeals the supplement of 1815, and re-enacts the above in part recited 9th section, but not a single word is said about the appointment of a collector, his oath or affirmation, the manner of his bonding, the penalty of his bond, or the nature of his duties—whence then do the commissioners derive their authority to appoint a *Collector*? What act of Assembly, that I may have overlooked, and what section, prescribes the form of his oath or affirmation of office, the manner in which he shall bond, the penalty of his bond, and his duties? None that I have been able to find; and I cannot conceive that the authority to make by-laws, &c. confers an authority to make a collector. If then the law neither acknowledges or recognizes the existence of such an officer in the corporation, nor a power in the commissioners to create such an officer. How could a suit be sustained on his bond? If the law does not recognize the officer, could it lay hold of his unofficial bond? I think not. But as Sangston is more *learned* in the law I refer the case to him. It appears very clear to my mind that a suit brought on the *Collector's bond*, and not on the Bailiff's bond, could not be sustained in court; and I dare say that Major Young acted under the same impressions when he ordered the suit to be brought on the Bailiff's bond. The Bailiff and Collector however, in this case were not two several and distinct persons, but one and the same individual person. The question then turns, not, on what person was to be sued, but which bond was to be put in suit; the official bond of the bailiff, an officer recognized by the law, or, (if it ever had an existence which I think extremely questionable,) the unofficial bond of the Collector, an officer unknown to the law, and created by the Commission-

* Thomas L. Bullitt.

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