

torney, to me known, who, on being duly sworn before me, did depose and say that he resides in the city of New York; that he is acquainted with Samuel Swartwout, and that he knew him to be the same person described in and who executed the within power of attorney: that he saw him sign the same, and that he acknowledged that he executed the same in his presence, and he subscribed his name as a witness thereto.

“ISAAC O. BARKER,  
“Commissioner of deeds.”

The following attestation was subscribed beneath these acknowledgments:

“Recorded in the office of the register of the city and county of New York, in lib., No. 4 of powers of attorney, page 136, October 3d, 1838, at ten minutes past 1 P.M.

“Executed by JAMES GULICK, register.”<sup>1</sup>

On the sixteenth of August, the ex-collector embarked on the steamer *Great Western* for England, having left the power of attorney to be given Henry Ogden on his return from Canada. He had in the mean time informed the secretary of the treasury of his intended absence from the country.

As proof that at the time of Samuel Swartwout's departure for England the unsettled condition of his accounts with the national government was not considered by the treasury department nor by Collector Hoyt, as in any way jeopardizing the honesty and probity of the ex-collector, the following paragraph of the special report of the secretary of the treasury on the sixth of December, 1838, may be adduced:

“Whilst Mr. Swartwout remained collector, suspicions do not seem to have been excited at the department that he was guilty of any default, unless it may be that the balance of money in his hands, when he was renominated to the senate in 1834, appeared to be too large, and caused some inquiry in relation to the subject.

“At that time, not having been myself connected with this department, and the present accounting officers of the customs also, viz.: the first comptroller and the first auditor, not having been in office, I am unable to state with accuracy what then occurred, or what examinations were then made; but it is represented *that Mr. Swartwout, and one of his clerks came to this city [Washington] on that occasion and submitted explanations to a committee of the senate, which obviated any objections to his re-appointment.*

“*During his continuance in office, the statements of his accounts, in a condensed form, were made weekly to this department with punctuality, and usually exhibited a balance in his hands ranging from a mere nominal sum or*

<sup>1</sup> Reports of committees, House of representatives, 25th congress, 2 sess. Report No. 313, vol. ii., pp. 313, 314. Executive documents, 25th congress, 3d sess. Document No. 13, vol. ii., pp. 51, 82, 83.