

I observed 'I wish to give Mrs. Swartwout some money.' I then handed him a check for \$5,000 more; he then said, 'The balance you can keep.' He expressed a desire to change the form of conveyance, by my giving mortgages on the property, which I readily assented to; and I executed them on that day (Saturday, November 10)."

The first conveyance drawn reads:

"This indenture, made the tenth day of November, in the year one thousand eight hundred and thirty-eight, between Samuel Swartwout, of the city of New York, by his attorney in fact Henry Ogden, of the first part, and Henry D. Gilpin, solicitor of the treasury of the United States, for the use of the United States, of the second part:

"Whereas *the said Samuel Swartwout is justly indebted to the United States of America in the sum of one million of dollars*: Now this indenture witnesseth, that the said party of the first part, for the better securing of the said sum of money, and also in consideration of the sum of one dollar to him paid by the party of the second part, before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, and sold, aliened, released, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, release, convey, and confirm unto the said party of the second part, his successors and assigns, for the use aforesaid, *all those certain thirty lots of land situate in the twelfth ward of the city of New York, which were conveyed to Samuel Swartwout by Jared Ayres, by deed dated the 26th day of December, 1833, and recorded in the register's office in the city of New York, in liber 206 of conveyances, page 573; and also all that certain tract of land situate on the west bank of Harlem River, in the state of New York, adjoining McComb's dam, containing, in all, about ten acres of land; and also all that certain dwelling-house and lot of ground situate on the north side of Eighth Street, in the city of New York, at present occupied by the said party of the first part; and also all the right, title, and interest of the party of the first part in any estate, real and personal, situate and being in the state of New York, together with the appurtenances thereto belonging, and all the estate, right, title, and interest, in law and equity, of the said party of the first part in and to the said premises, and every part thereof, with the appurtenances; to have and hold the same to the said party of the second part, his successors, and assigns forever, provided always (and these presents are upon this express condition), that if the said party of the first part, his heirs, executors, and administrators, shall pay to the United States of America the said sum of one million dollars, and the interest thereon, WITHIN ONE WEEK FROM THE DATE OF THESE PRESENTS, then these presents, and the estate hereby granted, shall cease, determine, and be void, but otherwise to remain in full force.*