

determined to return to the United States in the face of imprisonment to gain a more advantageous position to prove that he was not guilty of the charges brought against him.

It was his good fortune to have formed this resolution at the time when George Poindexter, William M. Steuart, and Alfred Kelley were discharging the duties of a board of commissioners appointed by his excellency, John Tyler, president of the United States, to investigate the affairs of the New York custom-house. The following correspondence will enlighten the reader regarding the means which furthered its accomplishment. The writer of the first letter, Charles W. Dayton, was a highly reputable importer of woollen goods.

“New York, June 18, 1841.

“Gentlemen:—Having informed you that I understood that Mr. Swartwout was very desirous to return to the United States, in order to make every explanation and reparation for his conduct in his power, and that he would do so upon an assurance being given that he would not be imprisoned; and though you may not be authorized to give any such assurance, I have yet to ask your opinion as to the propriety of Mr. Swartwout's return, and whether you do not believe that his voluntary return will be favorably regarded by those in authority.

“I have the honor to be, very respectfully, your obedient servant,

“CHARLES W. DAYTON.

“Messrs. STEUART and KELLEY, New York.”

The following answer was returned the writer:

“New York, June 19, 1841.

“Sir:—In reply to your note, requesting our opinion as to the propriety of the return of Mr. Swartwout to this country, we have only to say that we are unadvised as to the intention of the executive, but concur in the views expressed by Governor Poindexter, in his letter to you of this morning; and while we do not intend to intimate, in the slightest degree, what may be the intention of the government, or what course the executive may pursue, we do not hesitate to say that we should regard Mr. Swartwout's return as important, as well as in extenuating his own conduct, and vindicating himself from many alleged charges, and as leading to a full development of transactions of much public concern; and should he think proper voluntarily to return, we are persuaded he will be treated with all the clemency and consideration which is due him.

“Wishing you a pleasant voyage, we are, very respectfully, yours, &c.,

“W. M. STEUART,

“ALFRED KELLEY.

“C. W. DAYTON, Esq.”