

Eckford, and would have exonerated Mr. Swartwout from his indebtedness to that amount, still it shows that the accounts kept in the treasury department were not immaculate.

“To avoid the payment of the awarded sum a motion for a new trial was made. The motion was argued in September, 1847, and in October, 1849, the court denied the motion, and confirmed the verdict of the jury of May, 1845. Thus the heirs of Henry Eckford were subjected to the additional loss of four years and five months' interest, and Mr. Swartwout exonerated from [peculating the sum of] \$435,052.21 of his alleged defalcation, in addition to the \$600,000 [falsely charged as appropriated by him], for which the suit was begun against Joshua Phillips.

“From these facts, the following statement shows ‘the consequent and direct liability of Mr. Swartwout,’ according to the allegations of the treasury department and the investigating committees.

“By the report of the investigating committee, of which Mr. Harlan was chairman, Mr. Swartwout is represented as a defaulter in the sum of..... \$1,225,705.69.

“The report of the investigating committee, of which Governor Poindexter was chairman, caused a suit to be brought against Joshua Phillips, for amount of bond account, no part of which ever passed into the hands of Mr. Swartwout for his own individual use..... \$600,000.00

“The verdict of the jury in the suit of the United States against the executors of Henry Eckford, showed errors in the accounts of the treasury department..... \$435,052.21

“On November 10, 1839, Henry Ogden paid to H. D. Gilpin, solicitor of the treasury, money for which he was accountable to Mr. Swartwout..... \$30,000.00

\$1,065,052.21    \$1,225,705.69.

“Showing a balance of..... \$160,653.48,  
when on the contrary the whole world has been taught to believe to this day

to the 28th of March, 1834; the amount of said official bond being \$150,000, and the amount of said defalcation \$435,052.21.

“That the issue, joined in said suit, was tried in the month of May, 1845, and that on the 20th of said month, the jury, empanelled in the cause, rendered a verdict for the defendants, and certified a balance in their favor for \$20,545.59.

“That after the rendition of said verdict, a motion for a new trial was made on the part of the United States, which motion was argued at the Special term; that at the October term, in the year 1849,