

From Thomas Swords to John Dougherty

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New York.

June 20th 1856.

My Dear Major,

If you have been up to Fort Leavenworth lately, I presume you have heard that I am under orders for California, for which country I expect to start as soon as my accounts are settled at the Treasury, --and preparatory to doing so, I wish to get all my private affairs in such state that there may be no difficulty in case I should never return.

I received a letter from Mr. Bayless, the Admstr. of the Shultz Estate, a few days ago, sending me two deeds for signature, one for Lots No. 7 & 8 in Block No. 10, [*text stricken through*] and lot No. 5 in block 11 -- sold to L.M.G. Browne for \$50 -- the other for lots No. 11 & 12 in block No. 19 sold to N.J. Alexander for \$50.00 -- these sales, he says, were made by Shultz -- and that payment has been due for some time, but that the parties decline until they shall receive their deeds -- The deeds I have signed and shall send to Steele for delivery to Bayless, if all is right.

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Bayless writes "Old Mr. Shultz is extremely anxious to have the [Latan?] property divided, so that he may be able to dispose of his interest, which he thinks he can do better, if it were divided. He long since instructed me to bring suit for a division, but I thought it could be effected with less expense by agreement between the parties. Hence my letter to you last [MS. illegible]. I would now be glad if you would authorize Mr. Steele to arrange on your part for the division, else I may find myself compelled, in doing up the affairs of the Estate, to institute suit for a division, which I would very much dislike to do and which would also be [MS. illegible] with expense to all the parties concerned."

Such being the case, I am inclined to think that I shall agree to a division, though I dont know how it can well be done, but as I am going off, it would perhaps be better that each should have only his own to look after, and that my absence should not be an obstacle to each of the other partners doing with his own what he may think best -- at any rate jud[g]ing from the past, a division

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cannot make it any worse, as, so far, the property has only been a constant source of annoyance.

I presume there has not been much improvement in the appearance of things on the Missouri river, since the commencement of the difficulties in Kansas. It is unfortunate that things there had not been suffered to take their natural course without the intervention of outsiders of either party. the Kansas, Nebraska act was a most just one, and should have been

carried out in the right spirit. however I hope all will come out right yet under the bull headed will of old [MS. illegible].

Mrs. S., of course, goes to Calif[or]nia with me as we may be there a long time, or if I do not like it, we may return here very soon. She sends her love to Mr[.] D. & also please present my refunds. Let me hear from you at once.

Yours truly,
Tho. Swords