

through these fatal volumes to find what they never contained—a worse fate surely than that pursuit of knowledge under difficulties with Mr. Mactavish which he so affectingly deploras. In sober truth, the demand made in this interrogatory (952) was, under the circumstances, one of the most unreasonable and extravagant that could well be conceived, and it met with precisely the answer which it merited.

V.—MOTION IN AMENDMENT (p. 104).

Nothing is advanced under this head which constitutes any legal objection to the motion fyled by the Claimants, although there is a good deal of injurious and somewhat declamatory imputation against the Company. It is a kind of proceeding perfectly well recognized and of daily occurrence in the Courts. It was made at the proper time, that is, when all the evidence was before the Court, and the result of the proof was manifestly such as to justify an increase of the demand. The menace of re-opening the case is idle—no such right results from a motion of this nature. It is curious that the counsel for the Respondents should be so much alarmed by the motion, when, less indulgent even than Governor Stevens, he considers \$250,000 to be a large estimation of the rights of this Company and the Puget Sound Agricultural Company together.

VI. THE COMPANY'S OWN ESTIMATE OF ITS VALUE, p. 106 et seq.

Upon the subject of offers and negotiations ending with the letter of Lord Lyons of Dec. 10th 1860, (Mis. Ev., U. S. p. 284.) I shall add nothing to what has been said in the opening argument on pages numbered from 221 to 230, where I have given the history of these negotiations and the circumstances under which they were made. The account there given is a perfectly true one, and I believe it to be conclusive in shewing that they ought not in reason or law to have any influence upon the decision in this case.

But the Counsel for the Respondents fancies he has discovered other estimates on which he can build an argument, and he raises any number of fanciful and abstruse arithmetical problems in the effort to do so. It will be easy to shew the great and palpable error of all these elaborate calculations, and to demonstrate that the learned Counsel has fallen into a lamentable state of self mys-