

plegate, Hewitt and other caterers for the popular taste in Washington Territory, but it was hardly to be expected that the same defamatory language should have been continued in the defence before a tribunal constituted like the present one. This kind of language, it must be observed, is directed against a Company, the immediate Governing Body of which is composed of men of distinguished social and public position in England, and among whom are some of the foremost of their day in ability, character and rank. Under the authority and instructions of these men the claim has been made and prosecuted up to the present period. Yet it is, says the counsel for the United States, "The sublimity of impudence;" "Its unimaginable ravenousness passes the limits of indignation" "and reaches the region of ridicule and contempt;" "Grasping, rapacious, exorbitant and presumptuous;" "Bogus claim;" "Audacious and stupendous fraud;" "Fraudulent excess and attempted extortion;" these are only some of the energetic and picturesque phrases of abuse, which are spread with a liberal hand over the paper.

I am sorry that this course should have been pursued, not because retort is difficult, for it is easy to say bitter things. The power to insult by injurious epithets and calumnious charges lies within the meanest capacity. But the exercise of such power is grossly out of place in this controversy and before this tribunal. It assuredly will not be received by the Commissioners as a substitute for argument, and can add no strength to the pretensions of the party resorting to it.

I have but a word to say in conclusion upon the character of the defence. It has been got up with great labour and of course with great ability and learning. But it fails to meet the claim. It is discursive and evasive, elaborate on points of little or no application to the questions at issue, subtle and fallacious on those which touch the essentials of the case. It abounds in bold mis-statements and in scandalous invective, and is upon the whole an exceedingly vigorous and true expression of the spirit of aggression and confiscation which has from the beginning of this long protracted quarrel, offered wrong and injury in the place of protection, and insult in answer to just claims for redress. I leave it all, however, with a reassertion of unshaken confidence, that "no legal subtlety—no ingenuity of argument, no form of sophism can