

by all the witnesses for the Claimants who speak upon the same subjects; Lowe, Anderson, McKinlay, Crate and Simmons, sustain him by positive statement which the others corroborate, although in a less direct form. Without doubt there are numerous witnesses for the United States of all conditions and all degrees of credibility from zero upwards, who have made contra statements as well to his evidence as to all the proof produced by the Claimants. Many of these witnesses, as has been shown, are unworthy of belief, and the others had nothing of the familiar knowledge of the subject of which they spoke which was possessed by Mr. Mactavish or the other witnesses for the Claimants. Under these circumstances, the statement that "the testimony of Mr. Mactavish is not reconcilable with any hypothesis of common truth or good faith, and stands here in print to his dishonor as a gentleman and a man," is a gratuitous assertion utterly without warrant or justification. The probity of Mr. Mactavish and his honor as a gentleman, will bear favorable comparison with that of any man whose name has figured in the array of witnesses or counsel in this long drawn out case, and he has not the least reason to fear that it will suffer from anything to be found in the record.

I shall add no more on this subject, but I will notice in this connection, in order to have done with it, a *tripartite* letter between Mr. Gibbs, Mr. Cushing and Mr. Beaman, respecting the first named gentleman. I do not well understand how these letters are to be considered as making part of the record, but the combined production is a singular one, and adds a good deal of force to what has been said of Mr. Gibbs' position and evidence in the opening argument. To the letters in so far as they are intended to censure the Counsel for the Claimants I shall of course say nothing. It would be a violation of self-respect and respect for the Commissioners to do so. Concerning my strictures on Mr. Gibbs' evidence, I reviewed it from itself alone, stating nothing which is not borne out by the record. As to insinuations, I made none—I meant none. I thought Mr. Gibbs' intemperate zeal for one party, and hostility to the other, had led him to place himself in an extraordinary and unjustifiable position and I think so still. Outside of the record, I have no reason and certainly have no wish to speak otherwise than kindly of Mr. Gibbs. His ability and varied knowledge I willingly