

idea, made manifest by the suppression of the adjective small. But, as you are evidently ignorant of the possible proportions of a skiff, you are not informed of the characteristics of the schooner. It is not a question of tonnage, as you probably, without inquiry, assumed, but of masts, spars, and cordage ; it is not the size, but the rigging, which constitutes the schooner. Now a schooner may be a large vessel of 300 tons, and it may be a small vessel of ten tons. A small schooner may very well be only ten feet in breadth. The channel then in front of the natural bank upon which my wharf is built might possibly have been, and at high water may still be, navigable, as Lambly says, for *small* schooners as far as the mouth of the tail-race. But though a *small* schooner should sail up to *near* the mill, it could not sail up (as you say) as far as the mill. Lambly may have known that the tail-race, only five inches wide, and the rise in the land, would prevent it. Thus then, dealing with the testimony of a man of good character, tottering on the brink of the grave, you have imputed to him, negatively, one untruth, and affirmatively, another. By suppressing the word *small*, you expose him to a very serious charge, and by substituting the words "*as far as*" for "*near*," you subject him to another. The good old man deserved better treatment.

Lambly, avowedly too old to remember, who had never been as far up as the mill, was assuredly no authority. Had he been in possession of his faculties, he could not have overlooked the bank upon which my wharf is built, nor could he have failed to remark that the bank, the natural bank, was the lateral limit of the navigation as much as the wharf built on it.

It is, however, upon such ground that you venture to add that owing to my wharf the "appellant must resort to land conveyance, and that the expense would be almost ruinous." You thus assert, by implication, that he had before that period used water conveyance, for which there is no authority, and could be no authority whatever. He has always used land carriage in that locality, and found profit in it.

In the ninth paragraph you manifest a most alarming ignorance of the appellant's mode of transporting his grain and flour, and you ascribe to the plans a power, effect, and influence, which I dare not characterize. The appellant has