

After the personal communications that then, and which has so frequently, and at large taken place between ourselves, as also between myself and your Solicitor Mr Moore upon the subject of the Indictment for a libel against Mr Geo. Howe, as the printer and publisher of the Sydney Gazette, in which it is alleged to be contained, — I cannot help observing that the letter upon the subject now acknowledged, might perhaps, have been, not without cause, considered unnecessary, or at least in liberality and just consideration, should have been free from in any way or degree seeming to import any unwillingness or backwardness on my part from filing and exhibiting any charge or information you might think fit to draw up in that respect; As I have so repeatedly, on so many various occasions, and at every possible opportunity, indeed avowed the most ready acquiescence with your request, of exhibiting and assisting you in any proper way to exhibit any criminal charge, you might prefer, on proper and sufficient Affidavits — what one so however it seems to me — is a consideration vested by the legal Charter solely in my discretion, which alone is to determine on what Evidence as "satisfactory" the Charge preferred can be duly exhibited to the Court for enquiry and determination.

With respect to the information against Mr Geo Howe, as the printer and publisher of the Sydney Gazette, in a paper of which the alleged libel on your Character is supposed to be contained — I find that there are filed with the Clerk of the Peace three affidavits, Two of them containing depositions as to the applicability of the alleged libel, and one by yourself deposing to the publication of the libel, and denying the truth of the allegations contained in it — although it is the customary practice in such Charges to attach the Newspaper itself, containing the alleged libel, to the Deposition, I will not on this account delay to file with the Clerk of the Peace, the Indictment you have prepared against Mr Geo Howe.

With respect to that part of your letter in which "you beg also to furnish me with depositions, charging John Thomas Campbell Esq. with being the author and publisher of the said letter "Philo Free", and that you have drawn up an information upon those depositions in my name against the said John Thomas Campbell Esq. — As no depositions whatever had been furnished in