

Advocate, and you should conceive that you have in that Capacity a Discretionary power, vested in you by the legal Charter, to stop all further proceedings, I am left without redress on the opinion of the Judge Advocate alone. Whatever opinion or construction, the Judge Advocate for the time being, may put upon the words of the Patent which relate to the matter in question, I cannot believe that it was ever intended by the Legislature that such a meaning should be applied to them. A meaning so directly contrary to the spirit of the British Constitution, and so dangerous to the ends of public Justice - I am persuaded, every reflecting Man in the Colony would regret with me, if such a discretionary power was vested by the Charter in any Individual which you seem to think is vested in the Judge Advocate - Flawless, Wise, and just and upright, a Judge Advocate might be, yet he could only exercise the judgment of one Man, and would be as liable, at all times as other Men to the influence of human Passions, Errors and Ignorance. - It was this Consideration that induced the wise Men to say, "In the Multitude of Counsellors there is safety" - and the British Law. to allow every Man to be tried by his Peers. -

I have the honor to be  
Sir.

Your most Obedt<sup>l</sup> & Able Servant  
(signed) J Marsden

The Honorable  
Judge Advocate Mylde

(Copy)

Rev<sup>d</sup> Sir,

Judge Advocate's Office  
Friday Evg 25<sup>th</sup> April 1809 -

In consideration of the public Rank, and in respect of the sacred Office you are in possession of in this Colony, I am influenced so far, to acknowledge the receipt of your letter dated the 24<sup>th</sup> Inst. and delivered by your servant at 8 o'clock this Evening. - Under the same influence I refrain from taking further notice of the opinions, sentiments and personal insinuations at least; if not aspersions, you have thought proper