

Copy of a letter addressed by James B. Macaulay Esquire, agent on behalf of the Defendants, to James E. Small Esquire, Plaintiff's Attorney.

My Dear Sir,

The gentlemen prosecuted for a trespass upon the Advocate Press so far from entertaining a desire to do an irreparable injury to the property of the concern, went openly to the office without any attempt at concealment, and aware at the time of the responsibility they would incur.—An offer of indemnity to the actual extent of the injury would have been tendered immediately, had less clamour been raised and less exertion been used to prejudice the public mind.

The real cause of the step is well known to all;—it is not to be ascribed to any malice—political feeling—or private animosity;—the personal calumnies of the latter advocates point out sufficiently the true and only motives that prompted it; and I have now to offer to pay at once the full value of the damage occasioned to the press and types, to be determined by indifferent and competent judges selected for that purpose—will you inform me how far your client is disposed to meet this proposal?

This advance is in conformity with the original intention, and must not be attributed to any desire to withdraw the matter from the consideration of a Jury of the country, should your client prefer that course—but in that event, it is to be hoped no further attempts will be used by him or his friends to prejudice the cause now pending—nor any future complaints be made of a reluctance or hesitation to compensate voluntarily, a damage merely pecuniary although provoked by repeated assaults upon private character and feeling not susceptible of any adequate redress.

I am,

very truly yours,

J. B. MACAULAY.

J. E. SMALL Esq.

SECOND OFFER OF THE RIOTERS.

6th July, 1826.

My Dear Sir,

My friends do not seem inclined to make any higher proposals than follows, and which are dictated in a conviction that they fully meet the justice of Mr. Mackenzie's claim,—the real extent of which they are by no means ignorant of—or unable to prove:—

They will (receiving the press and appurtenances) be willing to pay £200 for them. This sum is considered not only the value of the whole materiel of the establishment, but amply sufficient to cover any contingencies also—with respect to further compensation there would be no objection to add £100 more, in all £300 to end the matter.

Or they will agree to £200 as above stated, and leave any excess to the decision of indifferent persons—or they will leave the whole to indifferent and competent referees as at first suggested.

If your client can meet this in any way so as to terminate the controversy I shall be very glad—if not I fear the law must take its course.

I am,

very truly yours

J. B. MACAULAY.

J. E. SMALL ESQUIRE.