Nind.
Attorney General
Estimates & Roads
Rec'd 11 Jan 64
Ans'd

F1257
1

Douglas
2nd January 1864

Sir,

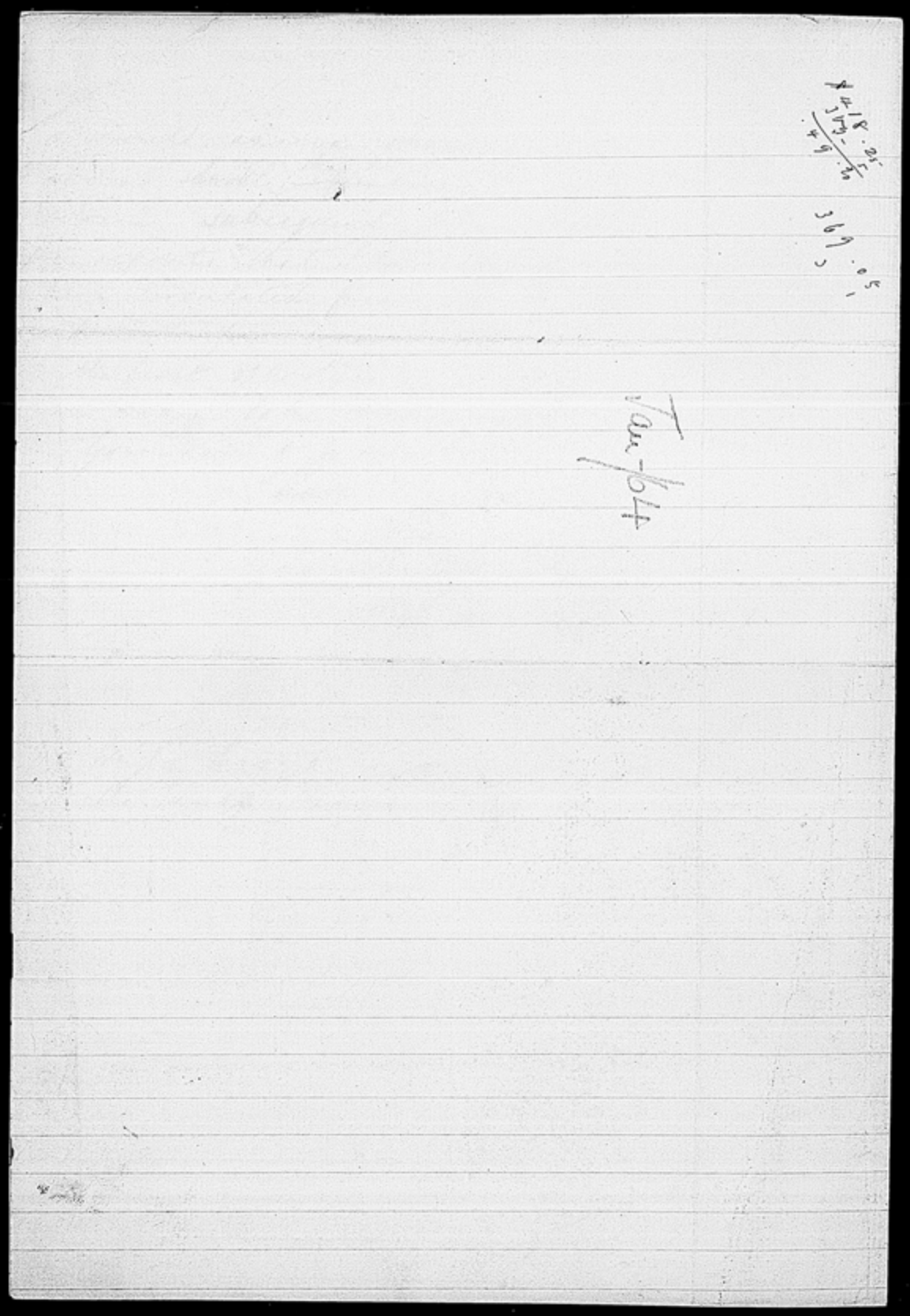
Certain damaging rumours having reached Douglas respecting Mr G. B. Wright, I think it right in the interest of the Government to enclose to you a note drawn by Mr Wright in payment of "Road Tolls" duties more than five months ago. It is currently reported that Mr Wright's cheques have been dishonoured in Victoria and that he has disposed of most of his property. Mr Gaggin has frequently applied to him or agent for payment of this note but without success. I also applied to Mr Charles Wright his brother about a fortnight ago. Mr Charles Wright told me he had not the money but hoped it

The Attorney General
N. Westminster

it would arrive shortly from above - ~~shortly~~ ~~afterwards~~ shortly after he left for Victoria - subsequent to his departure the reports that I have mentioned have circulated freely in Douglas and I therefore communicate with you by the first opportunity in order that you may take measures to secure the Government from loss.

I have the honour to be
Sir
your most obedient humble servant
Philip Henry Nind
Acting Magistrate for Douglas

Mr Wright has a house in Douglas and stock on the Lamalchi Prairie.



Nind
72.

Rect 22nd Legislative

Douglas
9th January 1864.

Sir,

I have the honour to acknowledge the receipt of your letter of the 28th Ultimo apprising me that His Excellency the Governour has been pleased to appoint me provisionally a Member of the Legislative Council of British Columbia and forwarding to me the instrument of Appointment also forbidding me to attend the meeting of the Council to be held at New Westminster on the 13th Instant.

I have the honour to be
Sir,
Your most obedient humble Servant
Philip Henry Nind

The Colonial Secretary
of British Columbia
Victoria

Nind
73. Rec'd 22nd

Magistrates

FIE57
2

Victoria

21st January 1864

Sir,

I have the honour to report to you for the information of His Excellency the Governor that I have returned to Victoria in consequence of alarming intelligence I received of the

acknowledge receipt of this communication

The Colonial Secretary
of British Columbia
&c &c

the state of Mrs Nind's health.

I have the key of the Douglas public chest in my possession.

I have the honour to be

Sir,

Your most obedient humble servant

Philip Henry Nind

Mind

Return to Victoria

Ackd.

Nind.
14

Gold Escort

F1257
3

Rd Replied to 4 Feb 13

13th Feb

Victoria
February 1864

In reply to a letter of the
ult. I have the honour to
request permission to
have transcribed to
enable you to place at the disposal of the Colonial Secretary
copies of documents appertaining to the Gold Escort

No

Sir,

I have the honour to inform
you that I have applied to the
Treasurer of Vancouver Island for
all the documents appertaining to the
Gold Escort and that he is unwilling
to send them over to me without
a formal requisition from yourself

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind
S.G.E.

The Colonial Secretary
&c &c

Nind. 75 Rect. 12th Public Works F1257 4

Replied to 18th Feb.

Victoria
12th February 1864

Sir,

I have the honour to forward to you for the consideration of His Excellency the Governor an application from Mr White Toll Collector at Douglas for leave to pull down or alter a small expense on any public building without authority for doing so. If the additional accommodation was needed at the Toll House, he might be have made a reasonable to that effect, and if the alteration were sanctioned incurred by him in enlarging the memory expenditure would have been authorised the Toll house and making it the has by making this alteration without authority, been committed a great irregularity, and for habitable The Colonial Secretary that reason the expenditure made by him cannot be allowed without further information, respecting the necessity there existed for the enlargement of the premises - and whether the money was prudently and economically expended

2 Enclosures

Submitted that Mr White be informed that no officer is at liberty to pull down or alter a small expense on any public building without authority for doing so.

LIGHT ORIGINAL

habitable.

I have the honour to be

Sir,

your most obedient Servant

Philip Henry Nind

Douglas

Alterations to Toll House
by Mr White

respect to –

Nind.
To Colonial Secy
Rd.

Magistrates

F1257
5

Victoria
16th February
1864

Sir,

In an interview with His Excellency the Governor last week His Excellency was pleased to offer me the magistracy at Douglas as I was unable to come to a decision without deliberation the matter remained unsettled until last Saturday

The Colonial Secretary
&c &c

Saturday when I ~~dete~~ sought to
inform His Excellency of the
determination I had arrived at.
I went to the Office four times
that morning and requested
Mr Judson Young to apprise
His Excellency of my presence
as Mr Judson Young told me
that he did not think that
His Excellency could see me just
then I went back to my own
house for a short time. and on
returning to the Office found
that His Excellency had left.

As

As I was most anxious for
an interview with His
Excellency I took the liberty
of calling at his own house but failed
to see him. I have now the
honour to communicate to you
for the information of His
Excellency my decision with
reference to the Magistracy
at Douglas. under the
circumstances of having been
sent up to Douglas to act as
magistrate during the suspension
of Mr Goggin and of having
examined his accounts and
of having reported my impression
of the state of things in the
District

District of Douglas I cannot consent to be placed there permanently as a magistrate

I have the honour to be

Sir,

Your most obedient servant

Philip Henry Nind

Colonial Office

Sir,

I have heard of Mr. Nind's appointment but Mr. Nind is your subordinate

R.

LIGHT ORIGINAL

Nind.
77 Rec'd 25th Feb. Gold Escort

F1257
6

Victoria
22nd February 1864

Sir,

I have the honour to acknowledge the receipt of your letter respecting the disposal of arms & accoutrements used by the Gold Escort and mentioning that one of the members of that body brought a revolver and case to your office stating that he had not received any instructions as to its return into store. In reply thereto I beg to inform you that if that mem-
-ber

The Colonial Secretary
&c &c

— but of the Escort you allude to
accompanied me on the last downward
trip of the Escort he was either
oblivious of disobedient to my
explicit orders issued at Westminster
for the return of all arms, saddles,
accoutrements &c into the Treasury
I could scarcely imagine that
this order was neglected as I myself
saw arms accoutrements &c placed
in the Gold Escort store and left
a Trooper specially after the discharge
of the others to clean the guns pistols
&c — wh occupied him some days —
I must beg to remind you that
the Government thought fit to take
the control of part of the Gold
Escort

Escort out of my hands some time before the main body was discharged. and after proceedings after leaving from my command I am entirely ignorant nor do I hold myself responsible for any of their acts.

I have the honour to be

Sir,

Your most obedient humble servant

Philip Henry Nind

S.G.R.

Nind

Gold Escort

F1257

New Westminster

1st March 1864

Sir,

I have the honour to report to you for the information of His Excellency the Governor that the Gold Escort accounts are completed up to date with the exception of particulars called for in the enclosed statement. I find that the accounts have been left in great confusion

The Colonial Secretary
&c &c

LIGHT ORIGINAL

and that it is impossible for any but a practised accountant to simplify them. As they stand now there appears to be a deficiency of about one hundred and thirty Pounds – a great part of which is I believe owing to the carelessness of the late Escort clerk Mr Getliffe. During the first trips of the Escort I paid the men & took their receipts and made entries in a pocketbook which I carried about my person, its leaves ~~provided~~ I cut out and entrusted with other papers to the care of Sergeant Coles to

£ 130.

to deposit in the Treasury with the other Escrb accounts. this happened when I was up the country and Sergeant Coles and Mr Getliffe were sent to New Westminster with treasure. on my return to Victoria in November Mr Coles informed me that the papers had been placed in the Treasury. I wrote to Mr Getliffe to inquire if he had possession of the papers but received no reply to my question on calling at the Treasury whilst en route for Douglas at the end of November Mr Getliffe informed me he had not been able to find the papers. nor was it possible to obtain any information from Mr Coles concerning them as he left Victoria for England

England about that time. I cannot call to mind what all the missing papers consisted of but I know many of them were receipts and entries of expenditure. In looking through the pay lists I also find that some members have received too much which was partly owing to their receiving money from many paymasters and partly to the carelessness of the clerks in making out the accounts. I respectfully submit for the consideration of His Excellency that the accounts may be thoroughly examined and sifted under the direction of the Auditor General.

I have the honour to be
Sir
Your most obedient humble servant
Philip Henry Nind
S.L.G.E.

Register of Parcels received at the Treasury Vancouver Island and handed to the Officer commanding the Gold Escort.

date	No	Weight	Enfaced Value	From whom received	To whom addressed	B. Columbian Charges Rate	B. Columbian Charges Charges	Vancouver Is. Charges Rate	Vancouver Is. Charges Charges	Total Charges	Signature of Escort Officer and date when received by him
1863											1863
Aug 4	1		1000	Manager Bank of B.C.	Edwin Russell, Richfield	1%	10 00				T. Elwyn 4 Aug.
Aug 4	2		1000	do.	do	"	10 00				T. Elwyn 4 Aug.
Aug 4	3		1000	do	do	"	10 00				T. Elwyn 4 Aug.
Aug 4	4		1000	do	do	"	10 00				T. Elwyn 4 Aug.
Aug 4	5		1000	do	do	"	10 00				T. Elwyn 4 Aug.
							$ 50 00				

date	No	Weight oz	Enfaced Value $	c	From whom rec?	To whom addressed	B. Columbian Charges Rate	$	c	Vancouver Is. Chg. Rate	$	c	Total charges $	c	Date when delivered 1863	
	27	101			J. Rayside	A. Wilson Bank of B.N.A.	2½ per oz	48	98	5 33/100 per oz	5	05	54	03	August	3
	28	14			G. Church	J. J. Southgate	do	6	79	do		70	7	49	August	10
	30	100			W. Galley	Mrs Galley	do	48	50	do	5	00	53	50	July	30
	31	25			J. W. Davis	Hudsons Bay Co	do	12	12	do	1	25	13	37	Sept	17
	35		500		J. H. Todd	Todd Turner & Co	1 per cent	5		do	1	60	6	60	July	28
	38	100			J. Kurtz	C. C. Pondergast	2½ per oz	48	50	do	5	00	53	50	July	27
	40	87			D. Grier	Bank of B.N.A.	do	42	19	do	4	35	46	54	July	28
	42	37			F. R. Despard	Henderson & Burnaby	do	17	94	do	1	85	19	79	July	27
	44	29			Jones & Cahn	Hudson's Bay Co	do	14	06	do	1	45	15	51	July	28
	45	16			J. N. Woolsey	Wells Fargo & Co	do	7	76	do		80	8	56	July	27
	47		600		L. W. Rino	McDonald & Co	3 per cent	18		do	1	87	19	87	July	31
	48		50		L. W. Rino	Bendixen	1 per cent		50	do		15		65	July	27
					Amount carried forwards			270	34		29	07	299	41		

Register of Parcels &c received at the Treasury Vancouver Island from the Officer commanding the Goldescort.

Date	No	Weight		Enfaced Value		From whom recd	To whom addressed	B. Columbian Charges			Vancouver Isl. Chgs			Total Charges		Date when delivered		
		oz	c	$	c			Rate	$	c	Rate	$	c	$	c			
						Amount Brought forward			270	34		29	07	299	41			
	1750	238	08			E. Russell	Bank of B. Columbia				5cts prey					1863 July	29	
	1751	240	16			E. Russell	Bank of B. Columbia				do					July	29	
	1752	239	75			E. Russell	Bank of B. Columbia				do					July	29	
	1753	76	11			E. Russell	Bank of B. Columbia				do					July	29	
	1754	143	88			E. Russell	Bank of B. Columbia	———	492	40	do	46	90	539	30	July	29	
	1755	115	71			Henry Edwards	Hudson's Bay Company.				do					July	29	
	1756	110	62			Henry Edwards	Hudson's Bay Company.				do					July	29	
	1757	111	80			Henry Edwards	Hudson's Bay Company.	———	177	38	do	16	90	194	28	July	29	
	0114	38	00			Martin Herig	M. Gorbinniere	50 cts per oz.	19	00	do	1	90	20	90	Nov	5	
	0115	7	00			Robert Ridley	Mrs B. Ridley	do	3	50	do		35	3	85	Nov	11	
	0116	34	00			James T. Reddish	Jas. T. Reddish	do	17	00	do	1	70	18	70	Nov	18	
	0117	64	00			Harris & Bro.	M. Harris Victoria	do	32	00	do	3	20	35	20	Nov	6	
	0118	63	00			H. T. Welcker John Adair	H. T. Welcker	do	31	50	do	3	15	34	65	Nov	10	
	0119	8	00			James Robson	Bank B. Columbia	do	4	00	do		40	4	40	Nov	5	
	0120	11	00			W. D. Moses	Jacob Francis	do	5	50	do		55	6	05	Nov	12	
	0121	50	00			G. A. Cary G. M. Hamilton	G. A. Carey	do	25	00	do	2	50	27	50	Nov	7	
	0122			800		J. R. Kittrell	Guild David & Co	1½ per cent and 1½ per cent	10	81	do.	2	50	13	31	Nov	6	
									1088	43		109	12	1197	55			
									1138	43								

7

Memo for P. H. Nind

The following are required to be obtained from Victoria

Gold Escort Charges from Colt. Sec.ᵉ #214.51

- Ditto - from Bank of B. N. A. paid by J Cleveys } #120.67

- Ditto - as entered in Bank ledger #1247.55

Detailed Statement of the sums comprised in the latter amount by the Treasurer of V.I.

Pay List for Torrens Wakeman Stuart and Skinner

Vouchers for Allowances to the above 4 men

This agrees with accounts enclosed: but the whole is not due to B. Columbia - from it has to be deducted $109-12. V. I. charges, leaving due to N. C. $1138.43 -

Nind.

Roads

F1257/8

New Westminster

1st March 1864

Repd to 3rd

Sir

I have received a letter from Mr Good signed "for the Colonial Secretary" directing me to proceed to Douglas for the purpose of taking steps to remove the impediments to traffic on the Douglas and Lillooet road as great complaints are being constantly

The Colonial Secretary

&c &c

this road is not a fit one for proper details of repairs and expenditure
further time may be required to keep it in repair until the end of May 79.
year, declining thus to give any particulars which may come to me
This under-estimate of the expense of the service

constantly made of the bad
state of the road especially of
a land slip which has lately
occurred near Pemberton rendering
the road impassable for waggons."
Last night I made inquiries
of Mr Brent partner of Mr Dodge
of Douglas who had arrived the
previous day from Douglas as
to the state of the road and
whether its repair would be
expensive. he informed me of
two other bad places on the
Pemberton portage impassable
for

for waggons beside the landslip alluded to and that it would be next to useless to attempt to repair the road ~~without the~~ unless ~~employ~~ two or three carts are employed to convey good material to fill up the holes in place of the vegetable mould which happens to be contiguous. He added that the expence of putting the road in working order would in any case be heavy. As the letter of instructions does not touch on the subject of funds and in every respect is vague and indefinite I must beg to be supplied with

Explicit

explicit instructions before
I can act.

I have the honour to be
Sir,
Your most obedient servant
Philip Henry Nind

Sir, I have laid before the Govr. Letter of the 1st Inst. relating to the work which is stated to be required upon the Douglas road & seeking explicit instructions in respect thereof. I am desired by His Excellency to direct you to proceed without delay to Douglas to take up the residence there as Magistrate of the District.

2 - Upon your arrival you are at once to institute inquiries, if necessary, to remove any existing impediments on the road which may have stopped the Engineer, and you are hereby authorized to expend a sum not exceeding in the first instance [illegible] for so doing.

3 - You are to furnish me with an Estimate of probable expense the best of your judgment may be

LIGHT ORIGINAL

Nind

81

Rd 19 Mch

Courts

F125 p 9

Douglas
19th March 1864

Commissioner
5th April

Mr Connell.
Perhaps Commissioner as County Court Judge
for Lillooet

Sir,

I have the honour to report to you for the information of the Governor that there is no County Court Judge in this District and that many people are anxious to know in what way they can recover money due to them without the expense of going to Westminster or Lillooet.

The District should be made to be represented by a County Court Judge.

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind
J.P.

Lat Douglas
24th March 1864

The Colonial Secretary
N. Westminster

LIGHT ORIGINAL

Nind
80.

Tolls

F1257
10

Rd. 19th Mch

Douglas
17th March 1864

Replied to

Sir

I have the honour to ask for instructions at your earliest convenience as to whether any credit is to be given road tolls to persons sending out goods from Douglas to the upper country. Yesterday Mr Bear of the firm of Douglas and Bear & Teach wished to obtain credit for as short time upon between 6 & 7000 lbs of goods but I refused stating I was not acquainted with the wishes of the Magistrate upon the subject - but that I would communicate with the Government without delay. There is a great scarcity of money at this time and without doubt a short credit of small sums would be a great accommodation but I think if the system of credit is allowed, there should be security as the Magistrate may deem satisfactory -, it being however distinctly understood that this must be done entirely at the Magistrates own personal responsibility, as I have no power to dispense with the provisions of existing laws.

I beg to refer the Magistrate to the for Tolls imposing Tonnage tolls on all goods having Douglas and other places. for

N. Westminster

All Payments are to be made in money or its equivalents - there is no objection to receiving the notes of the Bk of B. Columbia or the Bank

LIGHT ORIGINAL

of British North America; but we know of no other Banks which are chartered to do business in British Columbia be a limit in time and amount established by the Government.

I have the honor to be
Sir,
your most obedient servant
Philip Henry Nind J.P.

P.S. I have the honour to request that I be informed whether the notes of the bank of Macdonald & Co Victoria are to be received - they are frequently offered in payment for Government dues but I have not received them hitherto having no instructions respecting them -

Philip Henry Nind

F1257
11

Douglas

26th March 1864.

Sir,

2 enclosures

I have been requested to forward to you the enclosed receipts as the holders are anxious to obtain the title deeds for their lots at as early a date as will be convenient

I have the honour to be
Sir
Your most obedient servant
Philip Henry Nind
A.G.L.

The Officer in charge
of the L. & W.

36. Douglas 18

Lanchaing & Receipts
for title deeds. —

P. H. Nind

Douglas, 26 March 1864

Nind.
84. 40 Sent.

Magistrates

F1257
12

~~H.M.~~ Douglas
March 30th 1864

28th March 1864

Sir,

I have the honour to remind you that on the 6th January I wrote requesting a supply of Collectors Statements to be provided to Douglas - as no notice has been taken of that letter and as there is not a single one of the abovementioned forms in the office the accounts are now at a standstill.

I have the honour to be
Sir,
your most obedient servant
Philip Henry Nind
J.M.

The Colonial Secretary
N. Westminster

Nind 83.

Tolls

F1257 13

Douglas
26th March 1864

Sir,

I have the honour to acknowledge the receipt of your letter of the 21st Instant commenting on my request for information about giving credit for Road tolls. It occurs to me that my previous letter on this subject has been misunderstood. As I was aware that the Governor had authorized Mr Gaggin to give credit to persons of substance in Douglas I wrote to know whether the same course was still to be pursued or modified and that Mr Gaggin was not deemed personally responsible for the money seemed

The Colonial Secretary
N. Westminster.

seemed evident from the action of the Government generally and its acknowledgement of liability in the case of Mr G. B. Wright whose note of hand for a large amount was sent to the Attorney-General for collection in January. Had your letter informed me that henceforward it was considered expedient to receive only cash payments it would have been difficult to mistake the order, but I must confess that my ingenuity is sorely taxed to appreciate the permission of His Excellency ~~the~~ "to give credit for a few days to persons offering satisfactory security on my own responsibility." In other words the Government is not prepared to incur any risk but desiring to accommodate the people of Douglas graciously permits the magistrate to do so, still however retaining its jurisdiction in limiting the risk to a few days. As a public officer I have sought for directions in a matter where precedents have been established yet where the intention of His Excellency has been somewhat

somewhat obscure, but I find myself instructed on a purely personal issue by the gratuitous assumption of an authority which either laymen or officials might be disposed to call in question.

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind
S.M.

Nind.
52.

Roads

F1257
14

Rd. 11th

Douglas
6th April 1864

Rep. 12th

Sir

I have the honour to report to you for the information of the Governor that the work on the Pemberton Portage is completed that the road is in very good condition and is likely to remain so as long as it does not rain. The sand slide close to Pemberton which proved so great an obstacle to traffic has been cleared away. the labour expended on it was equal to the labour of about forty five men for one day. at the 5 mile hill a piece of the road was washed away this has been drained and repaired. between here and the 18 mile hill several small repairs have been made and many

report very satisfactory
CO

The Colonial Secretary
New Westminster

many large ruts stopped at the 18 mile hill the whole road was washed away for a space of about 200 feet a fresh road has been made on the upper side which never can be washed away - at the 4 mile house from Anderson Lake a gully 4 or 500 feet long was washed in the road this has been filled up - Between here and Anderson Lake several small slides had to be removed and many rocks and large stones ~~had~~ to be taken out of the road which were denuded of earth in consequence of the continuous wash to which they had been exposed. All over the portage the road was blocked up by large stones which had slid down from the hills and by trees which had been blown down - they have all been removed. on the 1st Inst the waggons of Messrs Barigalupi and Dodge left Pembeaton loaded respectively with 65,000 and 83000 lbs. Last year I am told that teams were in the habit of hauling from 35 to 50,000 lbs. To put the road into this favourable condition the labour employed has been equal to the labour of 96 men for one day and the

amount

amount paid for ~~[illegible]~~ labour
£ s has been fifty seven Pounds twelve
57. 12. Shillings -

I have the honour to be
Sir,
your most obedient humble
servant

Philip H Nind
J.M.

Nind

85 Rd 16m

Courts

F125I
15

Douglas
12th April 1864

Sir

I have the honour to acknowledge the receipt of your letter of the 5th Instant appointing me a County Court Judge and enclosing a commission from the Governour.

A like commission was transmitted to me when Assistant Gold Commissioner in Cariboo and on that occasion I felt myself under the necessity of declining the appointment stating as a reason that I had not received a legal education nor was my experience such as to warrant my accepting this responsible office.

As

The Colonial Secretary

New Westminster

As I presume this letter has escaped the recollection of the Government I have the honour to call attention to it and to add that I am ready at all times to perform those duties that I may be called upon to perform as a public servant of the Crown but that I must respectfully decline to be placed in a position where the want of technical and elaborate knowledge might subject both the Government and myself to much discredit or even more serious consequences. I enclose the commission

I have the honour to be
Sir,
your most obedient humble servant
Philip H Henry Nind
J.P.

Nind

87.

Rd. 27th

No 7

Leave of absence

F1257
16

Douglas
20th April 1864

No 7

Sir,

I have the honour to apply for leave of absence for six weeks or such time as may seem good to the Governor.

In February I was ordered by the late Governor to leave Victoria where I had a house and proceed to Westminster to complete my accounts as Superintendent of the Escort. Subsequently I received the appointment of the Magistracy of this District and was on that occasion refused permission to return to Victoria and wind up my affairs, consequently I

A. Birch Esqre
Colonial Secretary
&c &c

I have been compelled for two months to retain my horse there and to keep a servant in charge of it - this entails upon me an expenditure of over sixty Dollars a month - Should His Excellency deem it unadvisable that I should be absent from this District for six weeks I do not wish to lay a stress upon that length of time but I trust that I may be allowed to leave Douglas as soon as possible in the ensuing month. $60,00

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind

What arrangements would Mr Nind propose for the performance of his duties? I would be glad to meet Mr Nind's wishes but I think six weeks leave unnecessary for the purpose stated by him to the transport.

R.
28 Apr 64

Thos:
Colly.

C.S.O.

P. H. Nind Esq.

28 April 1864

116

Sir

With reference to yr. letter of the 20th inst requesting leave of absence to visit Victoria on private Affairs I am directed by H.E. to inf yr you that before granting you the leave he would be glad to know ~~when~~ about how long you propose ~~that~~ the Duties of yr. District ~~shall be performed~~ during yr. absence –

arrangements for performance of

Signed Arthur N. Birch

Nind.

Rd. 27th

No 8

8

Douglas
20th April 1864

The two letters hereunto explain the state of affairs in regard to the Douglas Road-repairs. It was intended thus to do away with the expensive plan of keeping a gang of men constantly employed in the work. Ed.

Sir,

I have the honour to apply to you for information as to whether the roads on the Douglas and Pemberton portages, as is currently reported here, have been let out by the Government to contractors to keep in repair during the year. Formerly the roads on these portages were immediately under the control of the Assistant Commissioner of Lands at Douglas and a gang of men who worked on the road was kept in Government pay all the year round. When I arrived here in March I put a portion of these men to work on the

A. Birch Esqre
Colonial Secretary
&c &c

LIGHT ORIGINAL

the weigh bridge road, the rest were employed in making repairs in different parts of the portage - at the present time they are all engaged in building the road to and from the weigh bridge ~~and~~ which is proving a heavier undertaking than was anticipated - As I was not officially informed by your predecessor of the intention of the Government respecting the roads I do not know whether to discharge the men after completing their present work - and of course as I have not been informed of the existence of a contract for keeping the roads in repair I am of necessity ignorant of the terms if there be any and as to whether I am expected as Assis-tant Commissioner of Lands & Works to exercise any supervision over the roads of the District - Complaints have already been made to me by the forwarding firms of this town as to the way in which the road on this portage is now neglected, but

but I could give no redress nor indeed information as to the means of seeking it if traffic were stopped or hindered.

I would respectfully submit for the consideration of His Excellency that after the weigh bridge road is completed the road leading from the town of Douglas to the top of the hill be graded and straightened - at present it is much complained of for its short turns which in some places will not allow of more than six animals hawling simultaneously, and its steep pitches, which could be easily reduced and a uniform grade be established from bottom to top of the hill - a rough estimate was made for me of the cost of this work amounting to between ~~three~~ £300, £400 and four hundred Pounds - As I was authorized to expend five hun- £500 -dred Pounds in making the Pemberton portage passable for traffic last month and the necessary work was done £60 for about Sixty pounds Respect-

-fully

-fully. suggest that the residue of this grant or as much as is requisite of it be expended in making a really good road up the Douglas hill - Should this undertaking ever be contemplated by Government, and its desirability would be obvious to His Excellency at a glance there are many reasons why it should be done now - a gang of efficient men most of whom have long worked together superintended by an experienced road-maker ~~are~~ is on the spot as are also tools powder &c and a cart which has just been repaired. the season of the year is good and I presume that such a work would never be undertaken by a person who contracted to keep the roads in repair. As the Weighbridge road will be completed before Xmas long may I beg that you will put this matter before His Excellency and make me acquainted with his determination at your earliest convenience

I have the honour to be

Sir,

your most obedient humble servant

Philip Henry Nind

Actg Surd Commissioner

Surveyor General's Dept.,
New Westminster,
2nd May 1864.

Sir,

With reference to the minute of His Excellency the Governor on Mr. Nind's letter of the 20th ult., I have the honor to state that Mr. Nind was not officially informed of the contracts for keeping the portages in repair in consequence of a mistake of mine. — As there is no such office as Assistant Commissioner

The Colonial Secretary
&c., &c., &c.

I

of Lands & Works, I thought the information would be communi-
:cated to him officially, as the District Magistrate, from the Colonial Secretary's Office. –
Mr. Nind received his orders with regard to the repairs of the road direct from Sir James Douglas, and not through me, and I imagined he ought to have received instructions to cease expending money from your office, but under the circum-
:stances I should have commu-
:nicated with you. –
Mr. Nind knew that the contract

was to be made - advertisements for tenders appeared in the Gazette, handbills were sent to Douglas to be posted - When proceeding to Douglas, I advised him not to do more than the necessary repairs on the road, as it would be in the hands of Contractors by the 1st of April; and when I heard that a slide stopped the traffic, I wrote to him requesting him to have the road remade at once as I could not have the Contractors on the road before the 1st of April The Magistrates are understood to have in the Country Districts a general supervision of the roads, and report upon them;

I

I shall therefore without delay transmit to Mr. Nind a copy of the specifications for the repair of the road. —

I think it would be very advisable to authorize Mr. Nind to get the Douglas hill improved as he suggests. —

I have the honor to be,

Sir,

Your most obedt. Servant,

[signature]

In charge

Douglas Hill is on the line of road let out to Contract. As the contract is only for "necessary repairs." The contractor will not of course alter the present grade of the road in any part — Auth. of Survy/Ex.

Minute Service of Minister has put his name upon his hands he has taken no steps for the improvement of the road.

The hill is part of the line laid out by Mr. Nind

Let this be done as soon as possible.

6 May

Col. Sec.

British Columbia

Copy

139

Colonial Secretary's Office
10th May 1864.

Sir,

I am directed by the Governor, with reference to your letter of the 20th of April last, on the subject of the repairs of the Douglas Road, to acquaint you that two Contracts for the repair of that road have been, respectively, given out to Mr Gibson and Mr Bridgman, for the section

Rev:
P. H. Nind
Douglas

sections between Pemberton and Anderson Lakes, and between Douglas and Little Lake, and that it was through some inadvertency on the part of the Lands and Works Department that this information was not conveyed to you.

His Excellency authorizes you to expend a sum not exceeding Three hundred and fifty pounds in improving the grade of the road leading out of Douglas, and, on that work being completed, gain

£350.

with,

will, at once discharge
the gang of men employed
in road repairs.

I have the honor to be
Sir,
Your most ob.t Servant
Arthur R. Birch

Nind.

Magistrate - repairs to waggon

F1257
18

Must Lowphase.
be sent to Mr O'Reilly
to advise in his
accounts Dr

No 19

Let the account have be
forwarded. The Magistrate's opinion
Sir, Optimate should be followed
30 Apl

Douglas
27th April 1862

£ s d
9. 1. 3

I have the honour to report to you that yesterday I advanced nine Pounds one shilling and three pence for the repair of waggon employed in conveying Government stores to the interior. The application was made to me by Mr Cudlip engaged by Mr O'Reilly for that purpose and although unauthorized by the Head of the Department I judged it best, knowing the expenditure to be necessary, to settle

The Colonial Secretary
New Westminster

LIGHT ORIGINAL

settle the accounts. I enclose two Vouchers. As I have heard that Mr O'Reilly is leaving today or has already left New Westminster for Cariboo I do myself the honour of communicating with you on the subject.

2 Enclosures

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind
S.M.

P. H. Nind Esq

C.S.O
2. May/64

(123)

Sir

In reply to your letter of the 27th ~~inst~~. relative reporting the advance of £9.1.3 for the repair of a Wagon employed in conveying Govt. Stores to the Interior – I have to inform you that the vouchers ~~for~~ which were enclosed in your letter have been handed over to Mr. O'Reilly who has ~~been instructed to~~ reimbursed the Surgn and the same shall be ~~entered the amount in his~~ forwarded to you ~~by~~ ~~the~~ ~~Colonial~~ first convenient ~~opportunity~~

Nind.

88.

Magistrate - Sale of Logs

F1257/14

No 20

Douglas
27th april 1864

Sir,

I have the honour to forward to you a letter from Mr Goulding of the Steamer Prince of Wales touching the purchase of some logs at Port Pembertn and to request your instructions in the matter.

I have the honour to be
Sir,
your most obedient servant
Philip Henry Nind
J.P.

The Colonial Secretary
N. Westminster

The - It seems true that Mr Nind should be left to act as he thinks best in this matter.

R.

30 April 1864.

Thankfully.

The Colo. Secy

P. H. Nind Esq

C.S.O
2. May 1864

124

Sir

With reference to your letter of the 27th ult. respecting the sale of some Govt. logs at Port Pemberton I am directed by His Excellency to request that you will act in the matter as you think best.

I am

On board Steamer Prince of Wales
April 29 1864

Captain Nian

I. L. P would be to enquire if you would sell a lot of logs that were cut for that abortive attempt at a landing at Port Pembertn that are now lying in the woods where they were felled midway of this Lake and some now lying on the beach where the first rise of water will carry them away and those in the woods will be destroyed by the first fire that reaches them
The logs are worthless to Gov unless the job at P.P. is finished and must be cared for by some one soon to be of any use to any one
We are about to have a tram road put across our short Portage and could work them in very well could they be got cheaper than new ones would cost
Please write me what is to be done with our landing at P.P. this season as it will be very troublesome unless something is done, five hundred dollars judiciously expended would be of great benefit to all concerned Yours &c. S.P. Goulding

F1257
26

No 18

Douglas
29th April 1864

Sir,

I have the honour to report to you that application has been made to me on behalf of Mr John Handcock of the 4 Mile House Douglas Portage for the title deeds of Lot 10 Block 6 Town of Douglas on which he some time since paid the purchase money.

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind
S.M.

The Colonial Secretary
N. Westminster.

This letter should have been addressed to the Lands & Works Dept – Transfer it to that Dept?

AWB
30.4.64

Yes

No. 371. Bangkok 18th
Requesting that the issue of Pr Act 10 of VI. Bangkok for John Hundevade. –

O. Nind
28th April 1864

Magistrates

F/257
21

Nind
No 90
7th May

Douglas
1st May 1864

No 40

Replied to it!"
for which provided

For Your Consideration
Aug 7th May

Sir,

In reply to your letter of the 28th Ultimo inquiring what arrangements I propose to make for the performance of the duties of this District in the event of the Governors granting me leave of absence I have the honour to inform you that I did not suppose it was for me to make any arrange-ments in the matter nor do I indeed know what arrangements I have it in my power to make. I beg respectfully to remind you for the

The Colonial Secretary
New Westminster

the consideration of His Excellency that during the last six weeks the magistrates from Lytton and Yale have been sitting in the Legislative Council and consequently absent from their Districts. and I believe at this time that there are fewer calls upon the magistrate at Douglas than at either Yale or Lytton. The state of things in the District is quiet and orderly and as far as I can foresee there will be no detriment to the Public Service from the temporary absence of the magistrate and should any pressing emergency arise the District of Douglas is within easy distance of the magistrates offices at Westminster and Lillooet, nor should I myself be so far off but that a communication from the Chief Constable would recall me in a few days.

I have the honour to be
Sir,
your most obedient humble servant

Philip H. Nind
J.P.

Under the circumstances stated
I write to Agent P. H. Nind leaving
his district for a short time.
I am in ignorance of the reasons
which induced Sir J. Douglas
to dispense with P. Nind's
attendance in Council,
but the only principal
reasons for an
early prorogation
has my wish that the Magistrates
should be in their districts in the
Spring & Summer.

Rec. Col. Sect.

D.
7 May 64

Colonial Secretary's Office
10th May 1864

138.

Sir

With reference to your application for Leave of Absence I am directed by the Governor to inform you that under the circumstances he will not object to your leaving your District for a short time to enable you to settle your private affairs at Victoria His Excellency hopes that you will be able to complete your arrangements so that they will not necessitate your absence

Hon H. P. Nind &c

from the Colony
for more than a fortnight.

I am

Sir

Your obedient Servant

Arthur H. Birch

Nind
71

Inquests

F1257
22

Put by No 99

Douglas
14th May 1864

Sir,

I have the honour to report to you an unfortunate accident which occurred on Harrison Lake to three Indian women and a boy who were drowned by the upsetting of a canoe. The only survivor of this an Indian woman, bravely attempted to save the life of one of her compa-nions and succeeded in dragging her on shore but too late to save life. I held an inquest over the body on the 9th Instant and the Jury upon the evidence found a

A. Birch Esqre
Colonial Secretary
N. Westminster

a verdict of "Accidentally drowned."

I have the honour to be
Sir,
your most obedient humble servant
Philip Henry Nind
Coroner

Nind
I think this should be granted but under present circumstances he should have certificate of purchase out the cost before being allowed to purchase about £12.

F1257
23

105

New Westminster
14th May 1864

Sir,

I have the honour to report to you that Mr White Toll Collector at Douglas has applied to me for a new pair of gold scales and a safe. The present gold scales are out order and worthless. Mr White loses money

A. Birch Esqre
Colonial Secretary

money by them every week
when the accounts are rendered
to me and the gold dust is
re weighed in my scales
I think a safe or strong
box is necessary for the
~~safe~~ custody of the money
that is in Mr White's charge
as it is impossible for him
at present to leave his office for
even so short a time without
some little risk being
incurred. Should I obtain
this

His Excellency's permission to purchase these things I could obtain them better & cheaper in Victoria than here –

I have the honour to be

Sir,

Your most obedient humble servant

Philip Henry Nind

P.H.

I think it would be a good thing to obtain the opinion of Mr Cauchon on this matter.

R.

18 May 1864

Rec'd. Sec'y.

20 May 1864

164

Ans.

With reference to your letter of the 17th instant I am to convey to you the Governors authority to expend a moderate sum in the purchase of a pair of field scales and a strong one with sunk dd for the use of the Road Trs Officer at Douglas.

The Hon
P. H. Nind J.P.

Recd. 1.

Memorandum Gov. Gell Esqr. 25 Jany 64

F1257/24

Victoria
24th May 1864.

Sir,

I have the honour to inform you that I have received instructions from the Government of British Columbia to ascertain what money there is in this Colony to the credit of the late Gold Escort of British Columbia

and

The Acting Colonial Secretary
of Vancouver Island

and to take it with me on
my return to New Westminster
It appears that there is a sum
of Thirteen hundred and sixty
eight Dollars and twenty cents $1368.20
in the Bank of British North
America lodged there by the
Treasurer of Vancouver Island
and held conjointly in his name
and that of the Colonial Secretary.

I shall be obliged if you will
kindly arrange with the Treasurer
to obtain this money from the
Bank and deliver it into
my

my hands in order that it may be handed over to the Treasurer of British Columbia

I have the honour to be

Sir,

your most obedient servant

Philip Henry Nind

Late Superintendant of Gold Fields

Respectfully ~~the Treasurer~~

Remarks – If this sum be due it will be necessary to obtain an order from the Treasurer of British Columbia for its payment

C.L.S. May 26/64

Instructions received 26th May and refilled to 27th May 1864

Wm Wilson

Transmitted

Referred to the Treasurer in accordance with above minute of this Building The Governor –

E J Hesbert

Actg Col. Secy

26 May 64

Send the Treasurer's letter with the accompanying documents to the Colonial Secretary, British Columbia and ask for the views of this Government on this matter. I think Mr Ker (late Auditor) may be able to explain and adjust this matter. P. H. Nind

Done May 31/64
H.W.

24 May 1864

Philip Nind:

Applying for $1368.22 due Mr Clancy on his contract account

Nind
92. Rd 4th June

Gold Escort

F1257
25

30th May 1864

204

Sir,

I have the honour to furnish you according to instructions with a report on the Gold Escort of last year particularly referring to the receipt or disbursement of cash by myself and others as far as I have been informed.

Each member was appointed on the 4th June in Victoria and the Escort left for New Westminster on its first upward trip on the 8th there being intrusted to its charge about seventy thousand Dollars in notes and coin which were received at the Government Buildings by the Colonial Secretary

$70,000.00

The Honble
The Colonial Secretary
New Westminster

Secretary and a receipt given by him to the manager of the Bank of British Columbia. Previously an Advance Warrant was given me for two Thousand Pounds, fifteen hundred of which was paid me in Victoria and there disbursed and the expenditure of I think over fourteen hundred was approved of before we started. Mr Elwyn 2nd in Command had also received an Advance Warrant for five hundred Pounds and was instructed to go to Lillooet and purchase horses. He took with me from Westminster some of the pet Escort Road Vouchers for current expenditure, cash to pay the men and for other expenses, and orders on the Magistrates at Douglas and Lillooet. For some time fearing the Road Vouchers would not hold out for the trips, I met all bills which

£ 2000

£ 500

which were vouched for in the usual way, by cash payments. On the road, at Richfield, and at Lillooet on the downward trip, I advanced money to the men as it became due and took their receipts on the leaves of a pocket book that I carried with me. I respectfully call your attention to these facts as it is to the loss of receipted bills vouchers and this pocketbook that I attribute part of the unaccounted expenditure. The circumstances of the loss were as follows on a subsequent trip when I found I was not returning with the Escort to New Westminster I gave the papers and pocketbook to Sergeant Coles who accompanied the downward party with directions to deposit them in the Treasury along with other Escort things, there to remain against the time when the Escort accounts should be made up.

Mr

Mr Coles assured me he had done this. On the discharge of the Escort Mr Coles went to England and the pocket book and papers have never been found. I was taken ill at the termination of the first trip in Victoria and instructions were issued by the Colonial Secretary that Mr Elwyn should take command of the Escort with the same powers of drawing money from the magistrates of the interior as myself. Mr Elwyn was also in command of a detachment on other occasions and received and disbursed money without reference to me. During part of the 2nd and the whole of the 3rd and 4th trips when I was myself in command of the main body of the Escort I pursued the same system as on the first trips paying the men ~~them~~ in cash as they asked for money and taking their receipts in a pocket book. subsequently all receipts for cash payments were handed by me to the clerks when the accounts were being made up at the Treasury so far then as regards any expenditure incurred by me up to the termination of the 4th trip all would have been clear had it not been for the mischance alluded to above.

On arriving in Victoria in November I found a detachment that had accompanied Mr Elwyn from Lillooet on the 3rd down trip had been discharged by him in pursuance of instructions from the Colonial Secretary in October and were looking to me for the final settlement of their pay. It was impossible for me with but partial information of what money they had received to ascertain

ascertain what was really due to them I accordingly paid them money on account as I obtained it in small sums from the Colonial Secretary - and requested Mr Getliffe the clerk to make out their accounts and forward to me - When the accounts arrived they were found to be so full of glaring mistakes that I complained to the Colonial Secretary and being then under orders to proceed to Douglas I received instructions to discharge Mr Getliffe and obtain a more fitting person. It is to the carelessness of Mr Getliffe that I attribute part of the unaccounted expenditure. He had been previously engaged in the Bank of British North America, was highly recommended by the Treasurer of Vancouver Island and was considered a proper person for the post of clerk and accountant by the Colonial Secretary. I had therefore no hesitation in implicitly entrusting him with all accounts and papers of importance. Mr Normanvell who succeeded Mr Getliffe found the accounts in a very complicated state and his arrangement of them is but a nearer approximation to correctness than Mr Getliffe's. It appeared from his statement that there was a deficiency of between one hundred and twenty and one hundred and thirty Pounds and immediately upon my being apprised of this I reported the fact to the Colonial Secretary requesting that there might be a strict examination at as early a period as possible. To this communication I received no reply but shortly

£
120
130

shortly afterwards I was ordered to take up my permanent residence in Douglas as magistrate.

During my absence money was paid on account of bills and pay due to the men by the Colonial Secretary by Mr Good and by Mr Cooper of the Treasury and I think in one or two cases money was paid twice over. I do not attribute this to any carelessness of these gentlemen but to their ignorance of what had been paid by myself and others. and it is to this system of numerous paymasters and divided authority that the confusion which has arisen is mainly due. The same system was pursued with the fees for the carriage of treasure. In Victoria there were no less than four persons who distributed treasure and received the fees. in British

British Columbia fees were paid at the Treasury and to myself and to Mr Elwyn. When in New Westminster I made a point always of paying into the Treasury all fees that I had received up the country without delay.

Respecting the disposal of the horses a certain number were sent to winter on the Thompson River and others to the Samas prairie. two were brought to Victoria in November one being too valuable to put out at grass on the lower Fraser during the inclemency of winter, and the other I thought might be sold well in Victoria when he recovered his condition in a stable, a life to which he had been always accustomed. I mentioned the matter to the late Governor and the ~~Governor~~ Colonial ~~Governor~~ Secretary was likewise aware of it

At the end of November I was unexpectedly ordered up to Douglas and when I returned at the end of January I gave orders at Mr Bowman's stables that one of the horses should be sold by auction at the first opportunity - the other I was on the eve of selling for a high price when I was sent to Westminster. Subsequently she was I believe handed over to Mr O'Reilly by command of the Colonial Secretary and was taken by him up the country. I had always intended to sell one of these horses directly he got into condition as he was valueless in British Columbia - but I wished the mare to be kept as His Excellency apprised me in November that there would be an Escort this year and she

she was the most valuable horse for Escort work that we had last year. In February I heard that ~~the Estimates~~ diture for an Escort was exhanged from the Estimates I accordingly tried to sell the mare - but being ordered up to Westminster unexpectedly I found all the Escort horses had been placed in Mr Brew's charge.

I can scarcely hope in a general report to give such written explanation as a stranger would deem perfectly satisfactory. I was placed last year in a very undefined position. Called Superintendent of the Escort, I was not invested with sufficient authority to control the Department - and though my title conferred upon me its total responsibility I found myself wanting in that discretionary power which is usually supposed to accompany the headships

headship of a department. The Governor's interest was incessant especially at the outset and descended to the smallest particulars. There was nothing too minute, even for his own personal supervision - but many matters of moment were neglected, partly owing to the hurried manner in which the Escort was taken up, and the absence of plan which characterized the whole proceeding. This want of system which the late Government was well aware was none of my seeking has placed me in a false light before the eyes of those who are unacquainted with the circumstances I can but generally allude to here - it was my earnest wish to have the Escort matters put on a proper footing during the régime of the late Governor and Colonial Secretary as I knew that their unsatisfactory appearance must of necessity reflect on me with a new Governor.

Governor - moreover the dispersion of those who composed the troop & the fading of incidents from my own memory render it every day more difficult for me to righ myself. I respectfully submit that this unfortunate state of things can only be settled by a complete inquiry into all such transactions with a detailed & viva voce account from myself of them and all other transactions connected with the Corps from its commencement to its termination.

I have the honour to be

Sir,

your most obedient humble servant

Philip Henry Nind

Referred to the Gold Fields Committee &
Returned by them.

Nind. 47. 2/25

Rec'd 3-6-64

Gold Escort

F1257 26

Victoria

3rd June 1864.

Mr Nind informed that the subject of this prior letter has been referred to the Govt of B.C. and no reply received to this date. JKW 3-6-64 Rec'd

Sir,

In an interview with the Governour on the 23rd ultimo respecting a sum of money in the Bank of British North America standing to the credit of the Government of British Columbia and held in the joint names of the Treasurer and Colonial Secretary of this Colony which

The Acting Colonial Secretary
of Vancouver Island.

which sum I had received instructions from my Government to draw His Excellency was pleased to say that if I would address a letter to the acting Colonial Secretary on the subject it would receive his immediate attention. I accordingly wrote on the following day and left the letter at the Government Buildings. As I have received no official acknowledgement of my letter and I am leaving for British Columbia by the next boat I do myself the honour of

requesting

requesting that I may be officially informed at your earliest convenience whether my letter has come under His Excellency's notice and what answer I am to return to my Government.

I have the honour to be

Sir,

your most obedient and humble servant

Philip Henry Nind
S. M.

R $\frac{2}{25}$ Since 3rd 1864

Philip H. Nind

Note reference to for
Ins. letter June 15th
subject of Postal Service
Accounts

Nind
93.

Postal

F1257
27

No 259

N. Westminster
14th June 1864

Sir

I have the honour to forward to you a letter I have just received from Captain Nunn respecting the Post Office accounts at Douglas

I have the honour to be
Sir,
your most obedient Servant

Philip Henry Nind
J.P.

The Honble
The Colonial Secretary
&c &c

Douglas
12th June 1864

Sir

Your letter of yesterday date is of so alarming a character that I should know how to answer it. I am perfectly aware that there has been in the wrong in not forwarding the Post Office accounts monthly but as I have explained to you before this I could not take any interest in that department, therefore very unfortunately neglected it.

As you are aware that the Magistrate department & accounts have been for the last two years entirely left in my hands & the collectorate in my hands also, I can safely assert that those accounts have been rendered regularly and that there has been no delay in the returns of this District, which without much exaggeration I can safely assert was principally due to my exertions.

This I am aware is no excuse for neglect of duty, but I wish to shew that that department in which I

Philip Henry Nind Esq.
Stipendiary Magistrate
Douglas District

I conceived myself principally & wholly interested was attended to with the utmost punctuality.

I confess I have a difficulty in collecting the Post Office accounts as numerous letters have been delivered by me to parties without payment & who have left here long before this —

A large proportion of the outstanding accounts is also due by the Express and I am unable at present to make up the whole of this, as the Office and my quarters are under water & the papers required are in the desk belonging to said Office — and without great difficulty it is impossible to enter the same. I do not wish to seek for delay in this matter, but at the same time, should this Gentleman be pleased to grant me a short respite I could have the whole satisfactorily laid before him, or the authorities referred to investigate the matter —

Charles Fraser

carelessness on my part in
late times as connected with the
Post Office of this District, but
the other portions of principal nature
of my duty I cannot say which have
been performed with care and attention
and to the utmost of my ability
I have served many years in Her
Majesty's service and never before
received a reproof for neglect of
duty, and have to express my
great sorrow that His Excellency
should have conceived that I have
been guilty of contempt towards
the Government, as it has always
been my pride to serve under
the Government to uphold it, and to
do whatever service for it that
I was considered fit for or
worthy to perform -

I have the honor to request
that you will do me the favor
to submit this letter for
the consideration of His
Excellency the Governor

I have the honor to be
Sir
Your most obedt
& humble Servt
Geo S Hobbs

C.L.O.

P. H. Nind Esq

16th June / 64

226

Sir

I have to acknowledge the receipt of your letter of this date forwarding Capt. Nunn's statement. I have received the Governors instructions to await Mr. Ker's report before proceeding any further in the matter

?

Nind
94.

Police & Gaols

F1257
28

No 29 Westminster

18th June 1864

Sir,

I have the honour to acknowledge the receipt of your letter of today's date announcing the appointment of Mr Dauberney as Chief Constable at Douglas during the pleasure of the Governor upon the suspension of

The Honble
The Colonial Secretary
&c &c

of Captain Nunn.

In reference to your Circular of the 11th instant touching the appointment of constables I beg to represent to you that as far as my experience goes it would be more conducive to the comfort of the magistrate and constable if the latter were not selected from the class of gentlemen.

I have the honour to be
Sir,
Your most obedient servant
Philip Henry Nind

Put by [illegible]
22 June/64

Nind
915.
Rec'd 25th

Magistrates

F1257
29

N. Westminster
No 330 24th June 1864

Sir,

The Treasurer having informed me that he is unable to pass through his books my paylists from the 16th March last, the date when I took over charge of the Douglas District from Mr Goggin, as he has not received any intimation on authority informing him of the change. I have the

The Honble
The Colonial Secretary
&c &c

the honour to request that you will be kind enough to cause an authority to be issued to that effect as it delays the accounts of the District from being entered in the Treasurer's books –

I have the honour to be

Sir,

your most obedient servant

Philip Henry Nind

J.P.

Public Works

No 3

F1257
30

Rd. 28 June

New Westminster
28th June 1864.

Sir,

I have the honour to forward to you the enclosed letter from Mr White respecting money expended on the Road Tolls House at Douglas. From inquiries made on this subject I am inclined to believe that Mr White's

The Honble
The Colonial Secretary
&c &c

(3)

White's statement is correct.

I have the honour to be

Sir,

Your most obedient servant

Philip Henry Nind
Sh

Ans.d (Privately) 30 June

That I cannot give the authority for so large a gratuitous expenditure without receiving the Governor's sanction & that therefore the Official reply must be as it was on the 25th

Return — Copy for Governor

30 June

Attention Mr. White
is entitled to some
Compensation
for his services

JB
30 June

Gaggin

Douglas B.C.
Decr ~~16~~ 16th
1862

Sir

As you are Mr White's Superior Officer in the Revenue, I beg to report him for impertinence to me and disobedience of my orders. His Excellency when here desired me to build an additional room to the Toll House for Mr White's convenience, which I had done. At the same time Mr White built another room at his expense; After the house was covered in Mr White took it into his head to take off the roof, raise the walls, and build another room, to which change I consented, as he was to pay all the costs of the change. The house has been changed as he desired. I went up there yesterday and found that Mr White in getting up the partitions intended encroaching on the Office, which is small enough as it is. I first quietly spoke to him and said if you do that the Office will be too small, he

W Stanley Gay
Collector

persisted in saying he would have it as he wished, and made several improper remarks. When I said I now order you not to encroach on the Office, he again said he would do so, and in a most impertinent manner told the Carpenter in my presence and in Mr. Hares, to pack the partition where he Mr. White, wished it.

I would, if I had appointed Mr. White, immediately have suspended it him, but as I had nothing to say to his getting his present situation, I beg to refer the matter to you.

I need hardly say, how annoying it is to me, to have an Officer here, for whose duties I am responsible use impertinence to me, and point blank disobey my orders before strangers.

Under the circumstances of his appointment, I have a delicacy, in acting strictly in what is, to a certain extent a personal matter, and I place the case in your hands, trusting you will take into consideration

how unpleasant it must be to me, and injurious to the public service, that a subordinate Officer should remain under me who attempts to set my authority at defiance.

I have the honor
to remain
Sir
Your Most Obt. Servant

A Bobolgayguin

? Wolseley 18 Dec 1862

Compliments and Thanks

FILE 1257	NIND, PHILIP HENRY JANUARY - JULY, 1864	COLONIAL CORRESPONDENCE	PABC

1257

Douglas
December 23rd 1862.

Sir.

I beg leave to complain of the overbearing conduct exhibited towards myself by Mr. Gaggin.

You are aware that the office I hold here, is that of collector of tolls, Mr. Gaggin being under present arrangements my superior officer.

You are also aware that recently the Government has acceded to the proposal that a suitable house be built for the Collector of tolls

In order to make this house commodious and tasteful, I have at my own expense made considerable additions.

It would be too lengthly to enter into an explanation of every particular as to the contemplated internal arrangements of the house suffice it to say, that with reference to a partition dividing the Kitchen from the office, I gave the builder directions to place it in a particular spot, for well considered reasons, approved of by Mr. Gaggin previously. Subsequently Mr. Gaggin in a very peremptory manner said it should be about 7 inches in another direction, and on my remonstrating told me at my peril to put it there. This expression, most irritating in itself, was said in a most irritating manner, and led me, I regret to say, to tell Mr. Gaggin, that the partition

should be where I desired it, and that if necessary I would appeal to higher authority. at the same time I told the Carpenter to act according to my wishes this will I hope satisfactorily explain Mr. Gaggin's letter of complaint against me.

I have the honor to be &
Sir
Your most obedient & humble Servt.

Richard White

L.
—

H. Amby Esq.
Collector of Customs
Nanaimo
B. C.

R. White
23 Dec 1862

Complaining of Mr Lappin

Write

Douglas
February 2nd. 1864

Sir.

I have the honor to request that you will be pleased to bring under His Excellency's notice the considerable outlay I have incurred in order to make the Road Toll house suitable for the purpose it was intended for.

The house originally consisted of one Room 10 x 14 and eight feet high. On the occasion of His Excellency's visit to Douglas Sept. 1862, an additional room was ordered; and I was directed to take up my quarters there for the purpose of attending to the collection of Road Tolls. On doing so, I found that I had not the common conveniencies appertaining to a dwelling house as well as Office. The two rooms were so circumscribed that there was not actually space to carry on the business of the Office.

The Office is some distance from town, and it was therefore necessary for me to remain almost entirely there, as

P.H. Nind Esq.
Stipendiary Magt.
Richards
Sidney Douglas

as Permits were being called for at all hours of the day. This being the case and in order to render the place in a slight degree comfortable, I took upon myself to make other additions to the house provided for me, which under the circumstances were absolutely requisite. "Viz" Kitchen, Bed Room, Necessary and Woodshed. In order to make these alterations the Carpenters were obliged to raise the roof of the building originally as before stated only eight feet high. I beg leave to enclose a Statement of the expense the above has put me to, trusting that you will consider the reasons I have advanced sufficient to warrant your laying the same before His Excellency with a view to my being reimbursed in some way for the outlay.

I have the honor to be
Sir.
Your most obedient & humble Servant.

Richard White

Monies paid by Richard White

William Thistle. (Carpenter)	Douglas	$ 60-00
Richard Bowden. do. (Contracts)	do.	
raising loft, adding. window frames. and partitioning &c.		117-00
P. Smith & bro. Lumber Bill.	do.	118-00
Windows. to Wright & bro	do	22-00
Dodge & bro. Nails. Butts. &c.	do.	15-00
Indians Labor	do.	8-00
Mr. Layton hauling lumber	do.	9-50
Shakes to Wells.	do	17-00
Wright & bro. Nails &c.	do	12-00
6 chairs to Haly @ $3-00.	do.	18-00
1 Table. Carpenter.		5-00
Pigeon holes -		5-00
		$ 406-50

Douglas. B.C.
May 15th 1864.

Sir.

In reply to your letter of the 15th March last. forwarding to me a communication from Colonial Secretary in answer to the request I had the honor to submit to you on 2d February 1864. I have the honor to inform you in connection with paragraphs No 1. & 2. that although I was aware that any expense on Public Service requires the sanction of my Superior Officer and also of His Excellency the Governor; yet from the peculiar circumstances of the case as already submitted to you. I took the liberty of making the necessary alterations requisite in order to make the office and quarters commonly habitable. In reply to paragraph 3. which states I have been guilty of great irregularity. which I am perfectly satisfied was the case, yet under the circumstances which follow. I trust what I did do. may not be considered so very great an irregularity

P. H. Nind Esqre
J.P.
&c. &c. &c
Assistant Collector
Douglas
B.C.

irregularity or at all events that there may be valid excuse for the same.

When the original Office and quarters were built under the direction of the Assistant Collector of Customs Douglas.

I pointed out to that Officer that they were totally inadequate for what they were intended, & and begged of him on several Occasions to make the "necessary alterations necessary or allow me to do so, and also asked him to be good enough to come to the Office ~~and~~ satisfy himself upon the matter — As I could obtain no regular reply to my request, I then took upon my self to make the alterations required.

I have now again the honor to submit the expense I have been put to to you with the hope you will consider the reasons above given as sufficient to warrant your laying the same before His Excellency for his further consideration.

I have the honor to be.

Sir.

your most obedient & humble Servt,

Richard White.

P.S.

I beg to bring under your notice that I have expended monies to the amt of one hundred and forty dollars in addition to the amt said before you in my letter of the 2d Feby 1864 – My not having mentioned this in my former communication was that I had a delicacy in informing you of the total amt expended by me in making the Roadtolls Office and house suitable for the purposes intended by Government.

His Excellency Governor Douglas having personally informed me that the Roadtoll house was to be my home and that it was to be made perfectly comfortable, the same directions being given to the Assistant Collector in connection therewith.

I should also wish to bring to your notice that His Excellency appointed (~~informed me~~) me Revenue Officer of Douglas District and gave me to understand that such should be my designation – About two months afterwards the Appointment of Revenue Officer was altered by the Treasurer. That officer having refused to pass the accounts under submitted from Douglas as Constable collecting tolls in that district, and beg that you will be pleased to use your influence to have the former grade restored to me,

PN

Nind

Tolls

F1257
31

S. Westminster
4th July 1864

Sir,

Referring to a conversation that I had with you touching the Road Tolls Acts of 1860 and 1863 and the way in which the money has been and is employed which is raised in accordance with these Proclamations I have the honour by your own desire to address you again and in writing.

I

The Hon'ble
The Colonial Secretary
&c &c

I have already informed you that the people on the Douglas-Lillooet route some time since sent a deputation to me to request that as their magistrate and sitting in the Legislative Council I would bring the matter of the Road Tolls under the notice of the Government with a view either to their partial repeal or the disposal of them in the District according to the tenor of the proclamations, and to enable the Douglas and Lillooet to compete with the Yale and Lytton route which it is maintained there is no doubt of

from

from its natural features provided that the Government will give an equal show of its countenance to both. Whilst placing before you the views of the deputation and the people it represented I must also beg to lay before you an abstract of the Road Tolls Collectorate for 1863 and 1864 until the end of April -

	£ s d
Road Tolls for 1863 amounted to	9287. 5. 4
Expenditure on the road for that year	4712. 0. 3
Leaving a balance of	4575. 5. 1
Of which there was remitted to Treasury	3272. 7. 8

This sum of £4712 expended on the roads includes the pay of the Engineers at work on the Pemberton Portage which should really be debited to the general revenue as in whatever part of the country they were the Colony was bound to pay them - and consequently this cannot be regarded as a

a charge on the local revenues.

In the first four months of this year ending the 30th April

	£	s	d
Road Tolls amount to	1708.	5.	10
Expenditure on roads about	520.	0.	0
Balance	1188.	5.	10
Remitted to Treasury in April	1000.	0.	0

From this statement it will appear that large sums have been paid into the Treasury and there absorbed without a sign. which said sums should according to proclamation have been carried to a separate account called the "Douglas fund" whatever their future destination. That the money should not be expended on this route was and is a source of much complaint, but that a rival and more

if carried to Fund from date of Proc: the balance in it be applied thereto

more expensive line should be opened up by its disbursement is considered a still greater grievance. It is hoped now under a new régime that matters will be conducted on a different system and as every resident on the route is looking forward to a change I shall be constantly interrogated as to the intentions of the Government.

Not a fact

2nd Whilst writing on the subject of the Road Tolls I have the honour to bring under your notice one or two anomalies connected with this District. The Magistrate at

at Douglas receives £300 a year
at Yale £350 the chief constable
at Douglas £192 at Yale £250 whilst
the allowance for stationery at Douglas
is £40 at Yale it rises to £100.

I have the honour to be

Sir,

your most obedient servant

Philip Henry Nind
J.P. & L.C.

Mind
298.

Police & Gaols
Douglas

R. 15 July

445

13th July 1864
567 570 g Cmc

Pulley

Sir,

I have the honour to request that you will take into consideration at an early period the removal of Mr Cue constable and jailor at Douglas from this District.

The requirements for an efficient con-stable here being activity, quickness and a desire to acquire some knowledge of the inhabitants white and native

there is marked absence in a person occupying this situation

Finders ~~[illegible]~~ unfit for the post.

Mr Cue takes no interest in anything here, is on bad terms with all the Government officials and is careful not to exceed his special duties as a police officer.

On one or two occasions he has behaved so strangely that I have entertained serious doubts of his sanity

The Honble
The Colonial Secretary
&c &c

I do not wish it to be understood that he has committed any offence that would demand dismissal from the service but that it would be better both for the public service and himself if he should be transferred to some other post.

I have received an application for the appointment of constable or jailor should a vacancy occur from a person named Hughes a resident in Douglas for some years, and a property holder here, from his knowledge of the people and Indians his energy and ~~good~~ industrious habits I can safely recommend him to His Excellency the Governor for either of the above mentioned posts.

I have the honour to be
Sir
your most obedient humble servant

Philip Henry Nind
J.P.

Nind
899

Roads

F1257
3E

Douglas

No 481 22nd July 1864

Sir,

I have the honour to report to you that I have just returned from inspecting the road on the two portages. On this portage the road is in pretty good order though there are some spots where I think improvements should be made - such as the section

The Honble
A. N. Birch
&c &c

section between the top of Douglas and Gibraltar hills which is very rough in consequence of the stumps and boulders that are continually laid bare by the overflow of water after rain and the passage of heavy traffic. In many parts the ruts are deep and require filling up with proper material. the bridges seemed in good order but two were pointed out to me as showing signs of weakness I examined them and spoke to Sergeant Bridgeman who assured me they were perfectly strong as he had looked to both of them this spring and had strengthened one. Likewise spoke to him on all the aforesaid points.

On the Pemberton portage the road has suffered much from the late rains which have been unusually heavy. bridges and corduroys have been washed away and generally speaking the repairs have been extensive. This road was neglected last year, and consequently there is much more work required to keep it in repair

This is no excuse for Mr. Gibson not fulfilling his contract as he was aware of the fact before he tendered.

repair than on the other. Mr Gibson the contractor does not appear to understand roadmaking but seemed willing to follow out my suggestions. Having come from Canada he has followed the fashion of that country and filled up holes and ruts by placing a quantity of brush in them and covering it with earth, a flimsy method everywhere but here where the traffic is so heavy worse than useless. I recommended that the repairs should be more substantial that he should get more wheelbarrows or a horse and cart, that he should break

break the rocks with hammers and never use sand or earth in filling up holes. There is excellent material all through this portage for road making, at the further end near Anderson Lake a broken shaly slate which grinds into a hard cement and towards Pemberton granite boulders and gravel. There are several spots ~~[illegible]~~ which are very troublesome after rain and expensive to keep in repair but during fine weather offer no impediment to traffic.

I cannot conscientiously recommend that

that either of the contractors should receive the full amount that would have been due to them on the 1st Instant had the roads been passed. I respectfully suggest that I be authorized to pay about three quarters of the money retaining the remainder until the roads are put in a satisfactory state.

In reply to the letter signed by Messrs Nelson Woodcock and Dietz, I do not hesitate to pronounce some of the statements incorrect. I can give no opinion of my own as to the present state of the roads over the portages when compared with last year, but unprejudiced people tell me that some parts of the Douglas portage are in better order than they have ever been, and there are two facts which do not support the assertions contained in the letter.

1st. The Road Toll books show that the weight of goods carried in waggons this year is larger than it was last year - for instance in May June July 1863 there are entries of fifteen waggons loaded with over ten thousand pounds. In May and June alone 1864 there are

are entries of fifty one waggons carrying over ten thousand pounds Mr Nelson who is constantly sending loads of over twelve thousand pounds out of Douglas can scarcely be ignorant that his teams are hauling more now than they ever did.

2nd The Express waggon leaves Lillooet in the morning and arrives in Douglas the same night never exceeding twenty four hours on the journey even when the Lillooet Lake had to be crossed in a canoe as happened last week. Mr Dietz must be aware that this is faster time than was made last year. I do not wish to apologise for the shortcomings of the contractors nor to shield them from

from impartial criticism but it must be remembered that Mr Gibson has had unexpected difficulties to contend with and that Mr Nelson put in tenders for these roads and notoriously bears no good will to his successful rivals. It appears that the contracts were given out to men without inquiring as to their means or capabilities of undertaking such works. Sergeant Bridgman's experience in road making is certainly well known but Mr Gibson was an elderly baker in Douglas who was supposed to have no ambition beyond the trade he followed. That the means of both were inadequate

for

for the work is evident from their men continually applying here to know if the Government will be responsible for their wages as they have hitherto received none.

Having learnt that there was an Escort horse at Lillooet I have obtained him from Mr Elliott and I shall now be more able to inspect the roads than heretofore.

It would be convenient if you would give orders to the Treasury that I be supplied with a saddle bridle holsters and saddle blankets from the stores used by the late Gold

Gold Escort there being none of these articles in this District. I hope it may not be necessary to carry out your instructions but I am quite prepared to do so should I find the contractors neglecting their duty.

I have the honour to be

Sir,

your most obedient servant

Philip Henry Nind
A.G.C.

Nind. 100.

Roads

F1257/36

Douglas

23rd July 1864

No 480

28. July 64.

Sir,

I have the honour to inform you that the grant of £350 for improving the road up Douglas hill is almost expended but the road is not yet completed.

The improvement already effected in the grade and width of that part

The Honble

A. N. Birch

&c &c

part which has been made
is most marked to which the
unfinished portion in the
middle of the hill offers a
great contrast. If compatible
with the views of the Government
I would strongly recommend that
the expenditure of a further and
sufficient sum be authorized
to complete the work - it is difficult
to estimate the probable cost
but I should suppose the labour
of ten men for six weeks would
be

be sufficient. Should the
men be discharged from the road
about the end of next week when
the grant will terminate an
important section will have to
be left untouched and which
lies between two sections that
are completed. and although the
partial improvements are valuable
when taken separately yet their
value would be much enhanced
if they were carried to completion.
As I shall have to discharge the
men next week I shall
trust to learn the action
of

of the Government at your
earliest convenience.

I have the honour to be
Sir,
your most obedient servant
Philip Henry Nind
J.P.

480
543

C.50
28 July 1864

308

Sir,

I have received your letter of the 23 ult. respecting that you have been unable to complete the improvements in the grade & width of the Road up the Hill at Douglas for the sum authorised in my letter of the 10th May last.

2. In view of the strong recommendations which you express for a further expenditure in aid of this work I have to authorise the employment of "the gang" for a further

The Hon:
P. H. Nind Esq
Douglas

period of ~~the bridges,~~
~~the time~~
~~so~~ ~~Estimated in four~~
one month, by wh time
~~better~~; ~~When~~ I trust
you will be able
to report the entire
& satisfactory completion
of these improvements
on this Douglas Road.

Executive Council.

The many items of "Extras" continue to increase & multiply exceedingly – I must therefore ask the opinion of the members of the Executive Council whether this additional expense in grading the road at Douglas shd be allowed –

If we can trust Mr. Nind's statement that it will take 10 men 6 weeks the amount will not be large –

A.N. Birch
26 July/64

I think the sooner the road is completed the better.
27 July 1864 R Hamley

I am of the same opinion
Henry W Bellew Brevet
27 July 1864

Nind
101

Treasury

F1257
34

Rd. 6. August

Douglas
30th July 1864

Sir,

In compliance with your letter of the 18th May calling for an estimate of probable Revenue to be derived from the Dictricts during the year 1865 together with a statement of expenditure for the like period I have the honour

The Hon.
A. N. Birch
Colonial Secy

honour to forward enclosures 2 enclosures
based upon the revenue and
expenditure of preceding years
independent of Lands and Works
Expenditure and somewhat modified
by the present aspect of things.

I have the honour to be

Sir,

your most obedient servant

Philip Henry Nind

Mr. Kerr

Ans

6 Augt 1864

Estimated Revenue of Douglas District for the year 1863

Land Revenue	Fines, Fees & Forfeitures	Liquor Licences	Trading Licences	Mining Licences.	Road Tolls.	Total		
Land Revenue £50						50	0	0
	Fines &c £110		—			110	0	0
		Liquor L. £350				350	0	0
			Trading L. £80			80	0	0
				Mining M. £10		10	0	0
					Road Tolls	10.000	0	0
					£	10.600	0	0

Government of British Columbia

For the year 1865

District of Douglas Expenditure

Particulars.	Situation.	Name	Period	Salaries Fixed	Office Contingencies	Allowances	Police & Gaols	Transport	Total. £.	s.	d.
	Magistrate	P H Nind	12 months	£ 300							
At 192 £ each	2 Constables	E Dawbury & Cue	D°	£ 384					684	0	0
Stationery &c &c	.	.	.	.	For Office £ 50				50	0	0
Recep of Horses	.	.	.	.	.	£ 72			72	0	0
Recep of Prisoners & other police expenditure	.	.	.	.	.	.	£ 150		150	0	0
.	.	.	.	.	.	.	.	£ 50	50	0	0
				Salaries CUSTOMS				Repairs			
Repairs of Weigh Bridge	Deputy Collector	P H Nind	12 months	£ 100	.	.	.	£ 100.	100	0	0
	Collector, Constable	R White	12 mths	£ 250					350	0	0
								£	1456	0	0