

Franklyn
114
800

Down Lot.

F596

Recd 21. 11. 64

Accounts returned to Mr Franklyn
for items in detail 25. 11. 64

Vancouver Island

114
199

Stipendiary Magistrate Office
Nanaimo Nov 17th 1864

Sir

I have the honor to enclose
a letter received from Mr Stevens
requesting me to advance him by
Hollow for the Public Service,
together with his receipt in duplicate
for the above mentioned sum and
to request you to direct the Honble
Treasurer for the payment of the same

Approved
W.L.H.
Nov 22/64

I have the honor to be

Sir

Your most obedient servant

W. Franklyn

Stipendiary Magistrate

The Honble

Colonial Secretary
Vancouver Island

Enclosure Nos 3. iii. 14 44
800

Memorandum

13th November 1864

Sir
I would feel obliged if you would kindly advance me thirty dollars for the purpose of paying Chapman employed on the survey of suburban lots town of Newcastle for the Government of Vanuatu Island. As I have not got any funds here available for that purpose

I have the honor to be
Sir
Your most obedt Servt
Edmond Stephens

W H Franklyn Esq J.P.
+ Land Recorder.

Extract from Mr Pearse's letter dated 12th November 1864

"However if you disburse for requisites out of private funds, the amount will be refunded immediately on your return"

R $\frac{44}{800}$ 17th November 1864

Stipendiary Magistrate
Jamaica

Advance \$500 to Mr. Sisson
and requesting payment
by the Receiver

74 44
799

Recd 21. 11. 64

F596
12

Vancouver Islands

Stipendiary Magistrate's Office
Nanaimo, Nov 27th 1864

Sir
I have the honor to request
that the following printed forms
may be supplied for the use of this
Department all those received in
1861 being finished.

- 100 Compositions *to be issued in 1864*
- 100 Warrants *issued 1864*
- 100 Recognizances to Appear *issued 1864*
- 100 Summons *issued 1864*
- 50 " - Summons for Rages *issued 1864*

I have the honor to be

Sir
Yours most obedient Servant

W. Franklyn
Stipendiary Magistrate
& C.

The Stipendiary Magistrate is requested
 to supply these materials
 Henry Wakeford
 Acting Colonial Secretary
 22. 11. 64
 (To be returned)

The Honble
Colonial Secretary
Vancouver Island,

Noted and returned.

with remarks in the margin.

28 Nov. 1864
Stipendiary Magistrate

R $\frac{44}{799}$. 17 November 1864

Stipendiary Magistrate
Hawaii.

Requisition for Police Journal
Hawaii.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

14 ⁴³/₇₈₇

Recd 19. 11. 64
2 Enclosures

F596
1b

Vancouver Island.

Replied to 22. 11. 64

Original & Duplicate
Enclosures sent to Treasurer
22. 11. 64

Stipendiary Magistrate Office
Nanaimo. Nov. 17. 1864.

Sir,

I have the honor to enclose
corrected Requisition No 7 in duplicate
with vouchers, amounting to: \$77 70.
to be approved of by His
Excellency the Governor for payment.

I have the honor to be

Sir

Your most obed^t Servant

W H Franklyn

Stipendiary Magistrate

rc. rc. rc.

Nanaimo

The Hon^{ble}
Colonial Treasurer
Vancouver Island.

P 43
1807 Nov 17th 1864
Progratute Xenium
Forwarding agree -
Action with books
for \$77.70

M⁴⁴
796

Recd
23. 2. 65

Recd. 21. 11. 64

F596
10

Vancouver Island

112
197

Magistrate's Office
Nanaimo, Nov. 17th 1864

Sir
I have the honor to request
that I may be informed, if the
Scurrs, Barges, and other vessels,
employed by the Vancouver Island
Coal Mining Company, in unloading
and loading vessels, ^{and} liable to exempt
from the duties as per schedule in Schedule C
in the "Victoria & Esquimalt Act 1862"
and applicable to other Ports of entry in
the "Free Ports of entry Act" 1863.
Also if boats bringing passengers or carrying
mail or goods to places on the high coast
board of this Port. are to be charged
the aforesaid fees.

I have the honor to be
Sir
Your most obedient servant

W. Franklyn
Magistrate

The Honble
Colonial Secretary
Vancouver Island.

168
1661

For the opinion of the
Attorney General No 29/64

Forwarded for the opinion of the
Attorney General accordingly -
Henry Wakeford

Acting Colonial Secretary
22nd Nov 64

(To be returned)

N. 49

I think Scows Barges and other vessels employed by the Vancouver Island Coal Mining Company in unloading and loading vessels are liable to the fees in Schedule "C" as coming within the terms of Section V of "The Victoria and Esquimalt Harbour Dues Act 1862" and Section 1 of "The Ports of Entry Act 1863" I presume the loading and unloading takes place within the Port of Nanaimo.

With respect to boats bringing produce or carrying supplies to places in the neighbourhood of the Port they are I think vessels employed in the coasting or carrying trade between places within this colony and the Port of Nanaimo within Section IV of the "Victoria and Esquimalt Harbour Dues Act 1862" and Section 1 of the "Ports of Entry Act 1863" and must pay either Entrance and Clearance fees under Schedule "A" or Licenses under Schedule "B".

I beg to refer to my opinion of the 14th instant relative to Foreign vessels and I find I have to correct an error which I had made in supposing there were no other Ports of Entry than Victoria and Esquimalt Harbours.

November 23rd 1864

Wm M. Allen

To the above effect

Thos. L. Wood
Acting Attorney General

Feb 24/65

Done
23. 2. 65



P⁴⁴ 1863 17/11/4
Messrs. Naumans
Engineering of
Stour Lodge St.
of the N. Canal Co.
are exempt from
duties on per sketches

M⁴⁴
797

Rec'd

Dec^r 21. 11. 64
(1 Enclosure)

F596
1d

Vancouver Island.

111
146

Superintending Magistrate's Office
Nanaimo. Nov. 17. 1864

One enclosure

Sir
I have the honor to report for
Your information of His Excellency
The Governor that according to His
Excellency's directions, Mr. Stacey
accompanied me to day's survey
the "Gut House" and to the fort at Nanaimo,
and is now engaged in drawing up
plans for a fence intended to harbor.
I now enclose copy of a letter dated
28th Sep^r 1863 written by me on the
subject.

I have the honor to be
Sir

Your most obedient servant
W. H. Franklyn
Superintending Magistrate

The Hon^{ble}
Colonial Secretary
Vancouver Island.

Copy

Vancouver Island

Enclosure in 14 ⁴⁴ 797

Stipendiary Magistrate's Office
Nanaimo. Sept^r 26th 1863.

Sir,

I have the honor to acknowledge, receipt of Mr. Pease's letter to you, dated 2nd ultimo. referred to me, by command, for further information, relative to the Government Reserve, in the Town of Nanaimo; and explanations, as to apparent discrepancy, between Sketch B, forwarded, in my letter to the Surveyor General, in October, 1862. and another to yourself, in my letter dated 17th July 1863.

I have delayed answering the above, till the return of Mr. Nicol who has been absent.

I have the honor to report, that the above mentioned Sketch, or tracing B, forwarded to the Surveyor General, was never intended to represent an official plan, but merely as I described it, a rough sketch, to show, the situation of the Government Reserve, and the proposed road in the V. I. Company's plan of the Town; not, however, having laid down the boundary lines on paper, by compass. I regret to say, that, discussed by the rising ground at the back of the Lot, I drew them in a slanting
instead

To the
Hon^{ble}.
Colonial Secretary
Vancouver Island

instead of a straight direction, as altered
in Rough Sketch B, returned, enclosed.

The second Sketch forwarded to
yourself in my letter of the 17th July, 1863,
and alluded to, in Mr. Pearce's letter, was
only intended to convey to His Excellency the
Governor, some idea of the situation of the road,
and causeway in course of construction, by the
lately organized Chain gang, at this place.

I have now the honor to enclose
a tracing from T. I. Coal Company's official
plan of the Town, shewing, the correct position
of the Government Reserve, and the position of
the Rocky Promontory, included therein,

Also copy of a tracing forwarded to me, in the
Surveyor General's letter, dated 2nd June 1862.

Copy enclosed, By which you will observe,
that a very small portion of before-mentioned
rock, is included between the boundary lines,
and the possession, of the small bay or natural
harbor to the southward of it, appears to be the
principal object in view.

Feeling convinced however, at this time, how
invaluable the possession of this rock must
ultimately become to the Government, on account
of the deep water at its base. I endeavoured
to obtain as much as possible of it when
measuring the reserve with Mr. Nicol, after he
agreed to an additional 20 feet of sea and
street frontage, and in fact from my great
anxiety to secure the whole of the said rock,
and only, for that reason, I recommended in
my letter of 1st October 1863, to the Surveyor
General, that the T. I. Coal Company might
have permission granted them, to construct a
road

road through the Reserve as shown in the Sketch.

I have now, however good reason for altering
my opinion in that respect, and would strongly
recommend that the Government reserve be
retained intact, and also as mentioned in
your note of reference on Mr. Pearce's letter,
that the whole of the Rocky point, should
be included in the Lot selected by Government,
as it forms the natural boundary of the same,
on the north side, and the ledge of rocks at its
base, extending into deep water, offers the greatest
facility for increasing at some future period,
at a trifling expense, the stone wharf, or causeway
already constructed, so that Steamboats, or other
Government vessels of some large size, may
lay alongside, and receive on board Coals,
which may be there stored, ready for shipment.

In conclusion, I would further, most res-
pectfully suggest, that an official survey
should be made, at an early period, so as
to set at rest the question of boundary,
as, I contemplate being enabled, by continuing
to allow vessels to discharge Ballast, above
low water mark, on the before mentioned rocks,
to considerably enlarge the wharf at the foot
of the Rocky Promontory, as well as on the
rocks, bounding the small bay on its south
side.

I have the honor to be

Sir

Your most Obedient Servant

Signed

Wm. Hoals Franklyn
Subsidiary Magistrate
Narain

N^o 797. 17 November 1864

Secondary Abstract
Vaccines.

Reporting Survey of Government
Revenue and other matters

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

M 44
798

Recd 21. 11. 64
1 Enclosure

F596
12

Vancouver Island

113
198

Magistrate's Office
Nanaimo, Nov 17th 1864

Sir
I have the honor to enclose copy
of a letter received from the Hon^{ble}
Horace D. Lascelles, Esq. J. P. Southgate,
relative to certain lands in the Douglas,
Nanaimo, Mountain of Cranberry
Districts, and to request His Excellency
the Governor's instructions, as under
the Acting Surveyor General's return
I have read the letter when at Victoria
on the 4th inst ^{or} ~~and~~ I am understood
the application of the "Land Procla-
mation Act" of 1862. on the subject.

The Enclosure

I have the honor to be

Sir
Your most obedient servant

W. Franklyn
Magistrate

The Hon^{ble}
Colonial Secretary
Vancouver Island.

For the La Mancha of Hallett
Surveyors (17th Nov 1864)

Forwarded for the records of the Com.
the Act of Surveyors General accordingly.

Henry Wakeford
Acting Colonial Secretary
27. 11. 64
(Not returned)

Mr Lascelles on behalf of the "Hawwood Coal
Company" preempted R. VIII. S. 4. Mountain Dist.
on the 4th March 1864. On the same day he
pre-empted under clause vi. of the Land Act of
1862 - 1,862.57 acres, and paid the sum of
271³ p. acres as provided in said clause.
He now wishes, in order to give confidence to
the Shareholders in England, to obtain a title
to said lands. The first worded clause above
mentioned is in a Surveyed Dist. and no difficulty
arises as to payment. The last mentioned land
is situated in three unsurveyed Districts, and I
find nothing in the Act which authorizes me
to receive payments on lands so situated.
Clause XVII. XVIII. fix the price for lands in a
Surveyed Dist., and Clause XIX provides for the
issuance of a "Certificate of Improvement".
Clause XXI. only provides for payment on lands
situate in a Surveyed Dist. Unless therefore
I am authorized by His Excellency to get these
lands surveyed, I do not see any way
by which I can legally accept the purchase
money. The cost of the survey would probably
be from \$100 to \$200.

The Honble
The Actg. Colonial Secretary.

P. W. Carr
Actg. Surveyor Genl.
23rd November 1864.

The cost of survey is estimated at
\$100 to 200 - What would be the
amount of purchase money?
I think the Actg. Surveyor Genl.
should submit these papers & copies

With the Act's Attorney Genl.
L.A. for with the Act's Attorney
General to the proper course
to be pursued in this case

W.L.W. 27/11/64

Forwarded to the Hon^{ble} the Acting Surveyor General accordingly -
Henry Wakeford
Acting Colonial Secretary

We are of opinion that the Government Survey
not having yet extended to the land in
question, the Surveyor Genl. is not in a position
to sell the land under the Terms of the
Proclamation of 1862. It is however to be
borne in mind, that the land being Crown Land
the Governor can, if he please, either cause
the Survey to extend to the land in question,
on expense it is probable the Purchaser
would willingly pay, or the Governor
may do as he pleases with the land
irrespective of the Proclamation, a mode
of procedure, however, open to
objection, as being an exception to the
general ~~rule~~ wording of the Proclamation
and eventually entailing the certainty
of applications from other persons to
delay the practice of the Land Office.

W.L.W.
12.11.64
Rec 2/11/64
Mr. W.L.W.
Mr. W.L.W.
Mr. W.L.W.

Thos: L. Wood
Acting Attorney General
W.L.W.
Acting Surveyor General

Re Smith
The Acting Colonial Secretary
H. H.

29th Nov. 1864

per "Fidelite"

copy. Enclosure in 14 ⁴⁴/₇₉₈

Victoria Vancouver Island.
29th October 1864.

W. H. Franklyn Esq^r
Land Recorder
Nanaimo

Sir.

Having this day tendered to the Acting Surveyor General of the Colony, the balance of purchase money due the Government for the undermentioned Sections of Land, comprising part of the Shorewood Estate

Mountain District R. V. VI. VII. S. 1 to 8 incl
" " R. VIII. S. 1, 3, 5 to 8.
Douglas " R. V. VI. VII. VIII. S. 14 to 20
Nanaimo " S. IV. V. VI. VII.
Cranberry " R. I. II. III. IV. S. 14 to 20.

(total contents 8,862.17 acres as per Land Office Instalment receipt,) which he refused to accept, in consequence of my not producing the requisite Certificate from your Office; that I had complied with the provisions of the Land Proclamation Act of 1862.

I would therefore feel obliged, by your forwarding at your earliest convenience, the necessary Certificate, provided, that you are satisfied that my expenditure of \$16,000.00 in the shape of improvements is sufficient to come within the meaning of the Act.

I would beg to refer you to Mr. R.

W. H. Franklyn

Dunsmuir of your place for particulars
relative to said improvements, for carrying
on the contemplated Coal Company, and
in the meantime believe me to remain

Your Obedt. Servant

(Signed) p.p. Horace D. Cascelles.
J. I. Southgate.

address care

of Miss J. I. Southgate & Co.
Victoria

P⁴⁴ 1205¹⁷ N. 1864
1998
Macedonate Nassau
Shewarding to the
from Don St. D.
Carroll's; 17th Street
relating to lands on the
Douglas, Nassau,
Mountain, and Craw-
ley Districts.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H.

46
848

Municipal

Dec 28. 11. 64

F596
2

Vancouver Island

Stipendiary Magistrate's Office
Nanaimo. November 23rd 1864

Sir

Having been requested to become
a Director of the "Nanaimo Water Company"
established for the purpose of supplying
the town with pure & wholesome water,
I have the honor to request that you be
informed if my accepting the position
will be contrary to the Proclamation of
28th October 1864. published by order of
His Excellency the Governor.

I have the honor to be

Sir

Your most obedient servant

W. H. Franklyn
Stipendiary Magistrate.

The Honble
Colonial Secretary
Vancouver Island

I am of opinion that the only way
to be satisfied is to let the
term of the contract be
178
203
L.L.H. M.D. 17
Ans. 28/11/64

P⁴⁶
848 Nov 23/64
Magistrate Nannam
Working & know of
his acceptance of
services of Mr. C.
James & Co. in relation
of Yvette Nott

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

F596
2a

119
204
Additional business
concerning sum of \$1160
for this week passed 20.3.65
Bancour papers
What has been received
from the
Bancour papers
March 1865

St. John's Office
Nanaimo, Nov. 23. 1864

Sir
I have the honor to report for
the information of His Excellency
the Governor, that according to
His Excellency's instructions,
Mr. Stevens, has made an accurate
survey of the Government wharf
has his base at Nanaimo, and
in company with King has taken
soundings opposite, which will be
contained in the plan Mr. Stevens will
have the honor to lay before His Excellency.

I have also the honor to report
that I accompanied Mr. Stevens
over the old road, a trail to the new
bridge on the Nanaimo line, and from
thence to the coast at Desha's Bay, going
through the settled districts, he having
previously

The Honble
Colonial Secretary
Bancour Island.

It is assumed that the ^{town of} ~~settled~~ ~~part~~ of the route
for the road, intended by ~~the~~ ~~settlers~~
Mr. Nicol has offered to construct
through the ~~course~~ ~~of~~ ~~land~~ in
that ~~has~~ ~~been~~ ~~the~~ ~~route~~.

I would ~~not~~ ~~disparage~~ ~~fully~~
suggest that Mr. Williams be directed
to continue his survey of the proposed
road, his time being ~~not~~ ~~limited~~ ~~here~~
before, and also that he may run the
section of line through the settled
portions of the District, and where the
land seems suitable for farming
set ~~up~~ ~~his~~ ~~own~~ ~~posts~~ (as great difficulty is
at present in determining the boundaries
of the land that has been ~~pre~~ ~~empted~~
or ~~pre~~ ~~empted~~) so that the settlers may
put up their fences, ~~and~~ ~~the~~ ~~power~~
of private surveys would in many cases
exceed the cost of the land.

I have the honor to be

Sir

Your most obedient servant
W. H. Franklyn
Superintendent of the District

Asst. Com. of the District
Sd. L. H. M. 28/11/64

Forwarded to the Acting Surveyor General
accordingly, - (To be returned) 28/11/64/

(To be returned) (Signed) Henry Wakeford
Acting Colonial Secretary.

With regard to that portion of the accompanying letter which
refers to a proposed new road from Manaimo to Cedar District
I would report that in the present state of the Revenue
& the many urgent demands for road making &
having in view the fact that the Manaimo River is
bridged at present about 3 miles above with a very
fine bridge 35 ft span which is built across a Canon
40 ft above the water & quite out of reach of the
effects of the floating timber & freshets, that I do
not consider it would be expedient to build another
bridge in an exposed place, and cut a long piece
of road simply to give access to 5 or 6 settlers.

I believe most of the traffic will go by the coast
& that roads will be cut from the different small
harbors & anchorages inland - without a personal
examination I could not say whether the site of the
proposed bridge is well chosen or not, but I can
inform His Excellency that I have built a bridge
about 2 3/4 miles above with an abutment 36 x 26
lozenge shaped and 18 ft high & filled with nearly
200 tons of stones and that the first heavy freshet
in Febry last washed away the whole structure & not
a vestige now remains - I think the money would
be better spent in improving the present road,
and cutting a branch trail to the settled parts
from it - As regards the survey of the District
however expedient it may be the present is not the time
of year to equip a party, as the cost would be nearly twice what it
would be at other times, the men must be fed, & the price

W. H. Franklyn
Acty. Surveyor Genl.
29. 11. 64

Report to Franklyn in Feb. 1864
of preparing Minutes

Done 3-12-64
J.W.

LLM
Dec 7/64

P⁴⁷
850 November 23rd
Magistrate, Manama
Reporting summary of
Govt revenue by Mr.
Stephens

R ⁶⁵/₁₁₆₅

Rec. 6. 2. 65

The Vancouver Coal Mining and Land Company Limited.

1 Enclosure

Nanaimo.
Vancouver Island.

3 February 1865

Sir

to mill

I have the honor to bring the following circumstance to His Excellency's notice -

That that part of Cedar District in which there are several settlers is so completely cut off from Nanaimo as to render all the energy displayed by the farmers in raising stock and cultivating their lands, & no amount of a short road could be made through that District to connect with the Victoria trail as shown by the black line in the enclosed map. and a bridge built at B.

it would connect this settled District
with Nanaimo.

I beg further to add that the Vancouver Coal
Company will consult that part of the Road
which passes through their property —

I also beg to suggest that the Road on
leaving Nanaimo, should take ^{the} direction
of the "black dot line", which route is calculated
to be far more useful to the settlements —

Under the present arrangement it will be
seen by the enclosed map that some
settlements, who are only 6, 7, 8 miles from
Nanaimo have to take a circuitous
route of 16, 15, and 14 miles.

I have the honor to be
Sir
Yours faithfully
James Dick
Pro-Magistrate
V. Coal District

The Colonial Secretary
Government House
Victoria

29/12/64
Respect the Report of the
Acting Surveyor General with rough
Estimates of cost — J.W.B.
Feb 15/65

Forwarded for the report of the Honble the
Acting Surveyor General accordingly —
Henry Wakeford

(To be returned) Acting Colonial Secretary
10. 2. 65

For a full Report on this matter, I have the honor to refer
to Memo on Mr. W. H. Franklyn's letter on this subject,
dated 23rd Nov. 1864. — If the Vancouver Coal Company
make the road from Nanaimo to B. on annexed map
I think the following would be a fair estimate for a
rough wagon road 10 ft wide 8 ft side hills. viz:

3/2 m. cutting & partial grading at \$100. p. m.	\$ 550.00
Building Trussed Bridge at B.	2400.00
Surveying & maintaining road & expenses of Road Superintendent	200.00
Total	\$ 3150.00

The Honble
The Acting Colonial Secretary

J. W. B.
Acting Surveyor Genl.
11th February 1865

R ⁶⁵/₁₁₆₅ 3 February 1865

Manager of the Vancouver
Coal Mining Company

Applying for a Road through
Cedar District connecting
with the Victoria trail

From the Memorial of J. Thompson
with estimate cost of the work
& with my report that there was
no road at my disposal to work
the the work
W.H. Franklyn
14.2.65

R 70
1242
See 1242
850

Rec. 22. 2. 65.

Mem. Cedar District Road.

for 214

Referring to my Mem. of 11th February, I would suggest that a sum of \$ 3,150. be placed on the Estimates for making this Road and the Bridge. - The Coal Company propose to cut and make 5 1/4 miles at their own expense.

J. Mearse
Acty. Surveyor Genl.
22nd February 1865.

The Honble
The Acty. Colonial Secretary
do. do.
I think this ought to be
done - J. Mearse Feb 22/65

R 71
1242. 22nd February 1885

Acting Surveyor General

Suggesting that a road should
be made through Oke's district
and a sum of \$3,500 be placed
on the Estimates for same.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn
1833 25/14
14 47
851

Road or trails - surveys - F596
3

Recd 28. 11. 64
- 1 enclosure -

fo 128

Vancouver Island

120
206

Magistrate's Office
Vancouver. Nov 23^d 1864

The enclosure

Sir
I have the honor to enclose copy
of a letter from Thomas Nicolas of
Mountain District, to the Acting
Survey General, handed to me
by Mr. Matthews lately employed
in surveying - and I have the honor
to deposit the same for the information
of His Excellency the Governor.

1st. That I am not aware of any
Road Commission having
yet set for this or the adjacent Districts,
nor have I received any official
intimation of Thomas Nicolas
or any one else, having been appoin-
ted "Road Commissioners"

2^d That the statement of Thomas
Nicolas that I am authorized
him to make a road through the
Wetwoods

The Honble
Colonial Secretary
Vancouver Island

Property is untraced, I am sorry
having given it as my opinion that
he had a right of way through Westwood's
land to the Common road, & previous
to me having existed.

Have the honor to be,
Sir,
Your most Obedient Servant,
Wm Franklyn

Stephen deary Mayskata

The Correspondence is unintelligible
to me - Report to the Actg. Surveyor

at Newcastle N.H. No 80/64

Referred to the Hon^{ble} the Actg. Surveyor General accordingly
Henry Wakeford
Actg. Colonial Secretary
(To be returned)

M 188
782

20. 11. 64

I see no mention of Mr. Franklyn's name in enclosed letter.
The case is simply this - Nicholas wants a road through
Westwood's land to join the Public or Common road - Westwood
objects - I instructed Mr. Stephen to investigate & report on
the facts of the case, he has done so, and I propose to
declare the road required by Nicholas, & on which he
alleges he has expended \$300., a Public road. By this

This decision no injustice will be done to Westwood as the
road passes over a Concomerute ridge, and great good
will be done to Nicholas who is at any rate entitled to
a road through his neighbour's land to the Public road.

Wm Mease
Dec 2/64
Actg. Surveyor Genl
1st December 1864.

The Hon^{ble}

The Actg. Colonial Secretary

Wm Mease & M Franklyn

Forwarded to the Hon^{ble} the Actg. Surveyor General who is requested to take
the necessary steps for declaring the road to be a public road

(To be returned)

Henry Wakeford
Actg. Colonial Secretary
3-12-64

Instructions noted & Mr. Westwood communicated
with on the subject by letter of this date

Wm Mease
Actg. Surveyor Genl
5. 12. 64

P⁴⁷
1871. Nov. 23rd 74

Magistrate - Kaimosi
Forwarding Copy of
letter from Thomas
Nichols, in regard
to Repairing Orms
Road, and also this
Westwood's land

(Enclosure in 14⁴⁷/₈₅₁)

Copy.

Nanaimo

August 18th/64.

Sir,

I being appointed Road Commissioner of Mountain District, I write to ask you how I am to proceed with the same. The Comox Road from Mr. Westwood's Land to the Millstone River is in bad condition.

S. Francis and myself will have considerable produce to draw over it this fall, we have 20 acres Oats that are already ripe an extraordinary crop. Mr. Westwood is a great annoyance to us, he is continually falling trees across our Road that we made through his Land, this Road we made by order of Mr. Franklyn Magistrate Nanaimo.

I have been to Mr. Westwood and asked him who authorized him to obstruct the Road he said Mr. Pemberton the Surveyor-General told him to stop the Road. which quite surprised me. it is impossible for produce to be drawn to Nanaimo from this Valley this Winter coming without passing through Westwood's Land. We have a good Road that way which cost us \$3000 and now to make a Road in any other direction it will cost at least three times the amount, which we are prepared to do. Sir, please have the kindness to write me a note to let me know how I am to proceed to get the Comox Road repaired, also concerning our road through Westwood's Land

your humble servant
(Sign) Thomas Nicholas

Franklyn, W.H.
134c P 44
855

Shipping
Rec 28/11/64

F596
4

Rec. [Signature]

Vancouver Island

122
209

Magistrates Office
Nanaimo, Nov. 26th 1864

Copy sent to
Colonial Secretary
British Columbia
14. 12. 64

Sir
I have the honor to report for
the information of His Excellency the
Governor, that according to the instruc-
tions of His Excellency (contained
in your letter of 21st inst) I have
received the Schooner "Randolph" towed
to this Port by the Steamer "Addictus",
and placed a Special Constable
in charge until the Steamer is
ready to tow her to New Westminster.

I have further the honor to report
that the "Randolph" is in a very leaky
condition, which has been much
increased by the strain of towing
her to New West, so much so that
the pump has to be kept almost
continually going, and the man
in charge relieved during the
day - I have caused her to be
beached

The Honble
Colonial Secretary
Vancouver Island

So that a Carpenter may examine her
and stop the leak of possible persons
to her being taken to New York
as fear that having her a crop the
Gulf should take her to continue
Boston, may be attended with
considerable risk, and that she
would be safer and more safe
if sent in charge of her own
Crew.

I have the honor to be

Sir

Your most obedient servant,

W. Franklyn
Superintendent of the
L. a.

R⁴⁷
855 Nov 26th 1864
M^{rs} E. Manassis
Reporting he has
received 2 Sloop
Random, and
finds her in a
very leaky condition

Franklyn W.H.
No. 123
211.

N.F. 3
F596
5

Nanaimo, B.C.
Nov 26th 1864

Dear Sir:

I have the honor to acknowledge receipt of your letter of 15th inst, (which only reached me on the 23rd) and have duly noted contents.

I am immediately in communication with the Treasurer, Secretary, of the Nanaimo Branch Committee, and have much pleasure in forwarding the latter gentleman's report, and also the amount of funds collected by the Treasurer, two hundred and sixty six dollars (\$266-00).

There are two, or three other long standing subscriptions, not yet received, but I am sure will apply for them, and forward them to you, by the earliest opportunity.

I remain
Dear Sir,

Yours for the
W.F. & Am. W. Lynn
Chairman Nanaimo Branch
I.S. Exploration Committee

George Rumbold Esq.
Hon^{ble} Secretary
I.S. Exploration Committee.

2 Enclosures.

Franklyn
November 26th 1864

INDENBURGH
1863

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

22 out by post

(1449 / 892)

Leave of absence

Nov. 5. 12. 64

F596.
6

Vancouver Island

Stipendiary Magistrate's Office
Nanaimo, Dec 2^d 1864.

Sir

I have the honor to request
permission from His Excellency
the Governor, to visit Victoria for
a few days, during the stay of
Mr. Mr Charles Hean.

I will make suitable
provision for the performance of
my duties during my absence,
and as my brother Magistrate
Mr C. Nicol will be away, I will
have a special keeper, and
return on my arrival, should
my presence be suddenly required.

I have the honor to be

Sir

Your most obedient servant,

W. H. Franklyn
Stipendiary Magistrate

14/19/64
W. H. Franklyn
Stipendiary Magistrate
Nanaimo
Acting Colonial Secretary
5-12-64
(To be returned)

The Honble
Colonial Secretary
Vancouver Island

P. 49
893 Dec. 2^d 1864

Magistrate Maunabo

Respecting permission to visit
historic during the stay of
Mr. Mr. Carlos Keen.

Franklyn
1835. 15. 14.
(14 49 / 908)

Indians - liquor traffic.

F596
7

Recd 7. 12. 64.

(1 Enclosure)

Vancouver Island

Superior Magistrate's Office
Nanaimo Dec. 5th 1864

Sir
I have the honor to enclose for
the information of His Excellency the
Governor, a letter received from Mr
J. C. B. Case, Missionary & Philanthropist
at Vancouver, relative to the distribution
of this settlement, owing to certain
peculiarly characteristics being at large, and
the unrestricted sale of spirituous
liquors.

I have the honor to be

Sir

Your most obedient servant,

W. H. Franklyn

Superior Magistrate

The Honble
Colonial Secretary
Vancouver Island

Enclosure in No ¹⁴⁹/₉₀₈

Haramara Rectory
December 5th /64
" "

Cap: Franklyn J.P.
Syr

Having arrived from Comox yesterday per Emily Harris & being anxious to return per first opportunity I wish to state to you one or two grievances which I trust will be seen into by government.

I am aware that since my appointment as Missionary to the Comox tribe of Indians you have sent a special constable once or twice to arrest an Indian by name "Jim Seaweed" allow me to say that unless a gunboat is sent up & Jim taken by force or some of the Comox Indians taken as hostages I am convinced that he will not be secured as he has boasted to myself that it is impossible for one or two men to take him & he never is without a long Bowie knife on his person, he is a great villain & is a constant source of annoyance to the settlers so much so that last Thursday week the 24th Nov^r while a settler (Mr Bailey) was out he entered his house & stole whiskey sufficient to make him intoxicated & then set fire to the chimney & had not Mr B. fortunately come home he would have had the whole house on fire, he Jim on being asked to leave the house drew a rifle from his blanket & Mr B. said unless he taken away the flint from his rifle that he should

have been shot, there are also other offences of much less moment but this amongst the rest show how much we want protection from Government.

There is also a white settler a notorious drunkard who behaves in such a manner that he is a dangerous person to be at liberty he is now living with an Indian woman a Nanaimo by whom he has had four or five children all are dead however with the exception of a boy of twelve months old & he has thrown him into the fire & in a state of delirium & the child suffered severely for several months. I have heard more than once that he was the cause of the deaths of other children. his poor woman is constantly in a state of fear for he has beaten her so severely three times in the last nine weeks each time the poor thing has taken to the woods & only returns when driven back by starvation she is now suffering from her last ill-treatment having had her head severely cut by a broken bottle.

I will also call your attention to the Esquimaux Indians you may remember that last year the gunboat drove them all away & told them never to return they have again encamped on the same ground & four camps have gone further up the river & defy the gunboat to touch them they stole from a farm next to the Mission Chapel over a ton of potatoes in one night & a source of constant annoyance both to the whites & to the Comox tribe.

There is a petition on foot asking the Governor for protection & I do most sincerely ^{trust} ~~wish~~ that Government may give us some protection.

The Esquimaux are constantly visiting Victoria, & bringing back canoes laden with Whiskey & the camps are constantly in an uproar. Last month I visited 11 cases with Mr. Barry a medical practitioner all more or less severely cut by each other. Believe me to remain dear Sir

Yours obt. Servt.

J. B. Carr
M.D. Physician (at least)

R 49
900 5th Dec. 1865

Magistrate Nassau

Letter of Mr. Cass relative
to the transfer of the
Speckhardt

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H.

Shipping

F596
8

B. 57 Rec 13/12/64

Cameroon Island

Attending Magistrate's Office
Nassau, Dec. 9th 1864

Copy sent to
Colonial Secretary
British Columbia
14. 12. 64

The enclosure

Sir I have the honor to report for the information of His Excellency the Governor, that the Schooner *Ran dary*, referred to in my letter of 2nd inst, as temporarily repaired, has ceased to say, commencing to leak again & has other things to be done, that the Captain proposes to take her to Cape the Gulf and the man in charge (an old sailor of experience in that trade) declines to take her a cargo.

Under these circumstances I have paid the man off to save him the expense, and had the vessel put in the hands of the all hands crew of her, and shall await for the further news.

I have the honor to be dear Sir, your obedient servant

I have the honor to be
Sir

Your obedient servant

W. H. Franklyn

Magistrate

The Honble
Colonial Secretary
Cameroon Island

Wm. H. Miller, Agent to the
 C. S. Brewster, J. S. Neal and
 for construction W.H.
 New York
 1864

1868
 PRINTED BY J. S. NEAL

In your letter of the 11th inst. I
 have received your letter of the 11th inst.
 and in reply to inform you that the
 same has been forwarded to the
 proper authorities for their consideration.
 I am, Sir, very respectfully,
 Yours, W. H. Miller

LIGHT ORIGINAL

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Copy sent to the
Colonial Secretary
Myriston
141
141
141

Amhariv. Dan. corner Island,
141 December 5th 1864

Having been requested by Mr Franklyn Esq
Stipendiary Magistrate, Samarang, to survey the
Sloop Randem and make a report thereon, I hereby
certify that I consider it unsafe to send her to sea
unless repairs are done to her which bearing amount
to from sixty to one hundred dollars, or more,
as it is impossible to ascertain their extent without
lifting the deck and fastening the floor boards
to the keel which is now loose. I do not certify
I do not consider the repairs worth such repairs.

I have by Mr Franklyn or else an order
to temporarily stop the leak but without success
she being very old and shabby.

James Linnarson

Shipwright
& Company

Signed to my presence this 5th day of Dec 1864

W. H. Franklyn
Stipendiary Magistrate.

No. 128
218.
49
893)
Colonial Secretary
British Columbia
Islands

Recd. 5. 12. 64

1st Lieutenant Major-General's Office
Hawkins, December 2nd 1864

Sir
I have the honor to report for
the information of His Excellency the
Governor, that in consequence of the leaky
condition of the ship "Randall", (as
referred to in my letter of 26th ulto) the
Master of the S. V. "Hanna" did not
think it prudent to tow that
ship across to New Westminister on
Wednesday last.

I have further the honor to
report that I have had the "Randall"
temporarily repaired, that she may
make the passage under canvas, and
have two men ready to navigate her across
if receive his Excellency's instructions
to send her.

I remain Sir
Your most Obedient Servant
W. H. Franklyn
1st Lieutenant of Marines

The Honble
Colonial Secretary
Vancouver Islands

See the reports
in relation to
boom, to be
made

The Meeting Minutes is reported to present the
"Boston" as some papers in connection with the
Swallow's Minute.
(Not returned)

Henry Wakeford
Adm. Service Section
5.12.64
Noted with interest
12/11/64

10

P 926 Dec^r 9. 1864

My dear Mamma

Reporting that Miss
London has again
commenced writing,
and so unlike to
write the subject of
George.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn
R. 929

W. H.

Dec. 12/13/64 Magistrate.

F596
9

Vancouver Island

Magistrate's Office
Nanaimo Dec. 9 1864.

Ans.
13.12.64

Sir, I have the honor to enclose for
the approval of His Excellency the
Governor.

Approved & transmitted
to the Hon. Mr.
Henry Warkentin
Acting Colonial Secretary
13.12.64

Requisition No. 8.
amounting to \$173.35

for the month of November 1864

I have the honor to be
Sir

Your most obedient servant

J. M. MacLellan
Magistrate

The Honble
Colonial Secretary
Vancouver Island.

P⁵⁰ 929 Dec 19 1864
Major J. Parsons
including request
for the return
of the valley

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H.

250
928

Rec. Dec. 14/14. Indians

F596
10

Vancouver Island

Magistrate's Office
Nanaimo, Dec. 2. 1864

Sir
I have the honor to acknowledge receipt of report, of the Magistrate of Victoria, appended to my letter of 25th ult; and in formation of Joe Hainian Indian; referred to me, by order of His Excellency the Governor

In reply I have the honor to acknowledge to state -

1 That the apparent discrepancy of allusion in the report, in reference to a item, instating the beginning, that he lost certain articles, and afterwards changing "skin a hair" with having taken them, is in my opinion, explained by the imperfection of the Chinook Jargon rendering it very difficult to interpret in to strictly legal language, and

The Honble
Colonial Secretary
Vancouver Island

The word lost was in a sense of by Joe, in answer

to the question, how far any articles were missing.

- 2 That the evidence to support the charge, appears to me to be the fact, of "Mianians" offering to return part of the stolen property (A pair of old blankets) if Joe would pay him five dollars, and that a man, who shot Joe, because he refused. This happened in the presence of the Roman Catholic Mission at Comichuan, who advised Joe to leave.
- 3 That the want of judgement displayed by Joe, in dealing with the chiefs of another tribe, is explained by his stating, that there were Spaniards in the country, and that he intended to go to them. I had given Joe a letter signed by me to provide for him, was suspended from office; Joe was without the means of getting food, or shelter, except from Indians, until he came on board the steamer for a passage back to Manaimo, after the trial of "Pat. Hannan" (who killed Jim) was over.
- 4 That I considered the case sufficiently important, to cause me to lay it before His Excellency; because the Manaimo Indians are beginning to be discontented over power to arrest Commissioners, for

any part of the Colonies; and who frequently rendering great assistance to the Government, look up to me for protection from wrong.

I have the honor to be Sir,
Your most Obedient Servant,

W. H. Franklyn

St. John's, 11th Dec. 1864

Another inconvenience arising from Rent of a
P. P. Magazine at
Comichuan - 11th

(74⁴⁷
849)

14cc. 28. 11. 64
(1 Enclosure)

Vancouver Island

121
208

Magistrate's Office
Nanaimo Nov 25th 1864

Sir

I have the honor to enclose
information and complaint,
of "Joe" a Kanaiian Indian, for
the consideration of His Excellency
the Governor, the robbery having
taken place in the District of Victoria,
and the man, Minkham being
at least to have been which place
I do not know to it taken to be found
the Kanaiian Indian Police,
unless accompanied by Police
Constables

I have the honor to be
Sir

Your most obedient Servant

W. Franklyn
Magistrate
Nanaimo

Noted and returned
3rd Dec 1864
W. M. Franklyn
The Enclosure

The Honble
Colonial Secretary
Vancouver Island.

Send for the Consident
of the Police Magistrate

No 710

L.L. No 28

Forwarded to the Spenidary Magistrate accordingly.

(Jobe returned)

Henry Wakeford
Acting Colonial Secretary
28.11.64

Report

Joe, in his information at the
beginning says he took certain articles,
& subsequently he changes "Skinaham"
with having taken them, I suppose
while he (Joe) was asleep. I query
what evidence is there to support the
change?

Joe has not displayed prudence
in lodging at the house of Indians of
another tribe under whose protection
he was not safe.

I do not think the case of sufficient
importance to justify me in taking any
proceedings in the matter without further
evidence.

Police office
Victoria T.S.
31 Nov. 1864

Attest
No 748
S. M.
Send for Mr Franklyn
Information
L.L.

Forwarded to the Spenidary Magistrate at Nanaimo accordingly.

(Jobe returned)

Henry Wakeford
Acting Colonial Secretary
2.12.64

Noted & Returned 12/14/64

Copy

INFORMATION.

Enclosure
iii. 1967
249

DISTRICT OF *Nanaimo* to wit:—The information and complaint of *Joe an*
Indian of *Nanaimo* in the District of *Nanaimo*
taken this *22nd* day of *November* in the year of Our Lord one
thousand eight hundred and ~~84~~ *sixty four* before me, *W. H. Franklyn Esquire* one of Her
Majesty's Justices of the Peace for the said District of *Nanaimo* who, being sworn upon
his oath, saith that

I went to Victoria as a witness in the case
of Patrick Hannon, for stabbing, and I went and
slept one night at the "Chicamen" House, and
next day the case was over, I went to a Cowichan
house to stop, and in the morning I found all my
things were gone. I lost

- 2 red Blankets.
- 1 pair Trowsers
- 1 coat with seven dollars in the pocket.
- 1 white shirt. I had just bought.
- 1 black waistcoat. I bought at Victoria for \$3.00
- 1 Comforter for my neck.

I spoke to the man, they were all drunk, they packed
up and went away. The man who took the things,
was the man who struck me in the Hordah house
his name is "Skuraham", he comes from Somenos,
above Cowichan. He threatened to kill me before
he is at his own village. I have been to Cowichan
with a note from Mr. Hood of this place to the
Missionary there, and the Missionary sent for the boy
who took the things, he came and would not give
the red blankets without six dollars being given
him, I would not give it; he was very angry
and stamped on the floor, and said he was
very sorry he did not kill me, and if he had
killed me, he should not have taken the things.
The reason they are angry with me, one of the
Nanaimo

Indians, the same place I belong to, has a Coritchan woman taken from a Someros Indian she used to live with. The Catholic Missionary told me I had better go away as he could not do anything for me. That undoubtedly that Indian wanted to kill me.

Signed. Joe X his mark.

Signed)
John Sabiston
sworn interpreter of the Court.

Wm. Franklyn
Judge
Nanaimo
Dec. 1864
The last of the
Dec. 1864
having his
written by
1864

84
F596
102

Vancouver Island

Attending Magistrate Office
Nanaimo, Dec. 12th 1864.

Sir
I have the honor to request that
you will be good enough to send me
plans of Newcastle Town and
suburban lots, for the information
of persons in this District.

I have the honor to be
Sir
Your most obedient Servant
W. Franklyn J. B.
Land Registrar

The Honble
Surveyor General
Vancouver Island

Transmitted by Mr. Stephens.

[Handwritten signature]

19/12/64

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H.
1852
1899

Rec^d 19/12/64 Magistrates - assistance

F596
11

Vancouver Island

Inform him that
propose to submit
this on 8th Dec 1864
1865
Franklyn
19/12/64

Magistrate's Office
Nanaimo December 14th 1864

Sir
I have the honor most respectfully
to call the attention of His Excellency the
Governor, to my letter of August 17th 1864,
relative to my being allowed a sum for
clerical assistance in my office, as I
have found it indispensable in consequence
of the great increase of business, to have a person
constantly employed since that date.

I have the honor to be
Sir,
Your most obedient servant
W. Franklyn
Magistrate

The Honble
Colonial Secretary
Vancouver Island.

P. 52
8959 Dec 14/07
May Naumino
Requesting a sum
of money may be
allowed him, for
Conical of factum

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H.
109

R 52
961

Police & Quota - Indian witnesses
Rec 19/12/64

F596
12

Vancouver Island

148
246

Magistrate's Office
Nanaimo Dec. 14th 1864

Sir,
I have the honor to report for the information of His Excellency the Governor, that Lecheran (Chewan) an Indian Chief who brought to me part of the money belonging to the Indian woman murdered at Salt Spring Island, has not yet received the reward, according to His Excellency's instructions, contained in your letter of 14th ult. in consequence of his not having presented himself here for the purpose of receiving it, although I have sent several messages to him requesting him to do so -

I am informed by Mr. Crosby (Indian Teacher, and keeper of the house to which returned from Chewan) that both Lecheran and the two persons in the tutelage of Lecheran, and Stashed, recently executed for the murder of before mentioned Indian woman,

The Honble
Colonial Secretary
Vancouver Island

and others, feel greatly aggrieved at
the treatment they received at Victoria
and are afraid, and are unwilling to
venture near the officers of this Government.
They state to Mr Crosby that they were
locked up in Prison, from the time
they arrived in Victoria until after
the trial was over, and by two days;
and were not allowed to see their
wives except in the jail - that they
received only \$3.50 each for the
whole time, and a canoe to take
them back to Chonacinos, and
that they had no doubt why
they should be so treated, as had
they not voluntarily come forward
with their evidence against the
murderers (who were their friends)
they the murderers would have
escaped.

Locheon also states
I am informed that he was detained
in the same manner though not
for so long a time, only two or three
weeks, though he produced the
paper that given him stating
that he had received the money
and deposited it with me.

Of course, however, the statement
of Mr Crosby, in this matter, but am
very anxious that their impressions
of having been unjustly treated

by the authorities should be removed,
and had arranged in the Mr Crosby
to send him to Chonacinos this week
in the Police boat, as he volunteered
to go, and persuade them to come to
Chonacinos, and to make the statement
in due person, but the boat being
required for other duty I have been
obliged to postpone sending him
at present -

I am aware that it has been
the custom sometimes to keep
Indian witnesses in jail, until
a trial when they are needed
come off, but this being a case
where the Indians receive a great
praise from His Excellency for
their conduct, it is fortunate
that they have cause for their satisfaction.

I shall take the earliest oppor-
tunity of handing the money to
Locheon as directed, and also
a small sum in compensation for
loss of time to the other Indians,
(the witnesses) should His Excellency
approve.

I have the honor to be
Sir
Your most obedient servant,
Wm Franklyn
Secretary of the State

217
1853

Memorandum for the Hon. Mr. A. Mac
Clymont of the Police Magistrate

Dear Sir

Forwarded to the Magistrate, Victoria, accordingly -

Henry Wakeford
Acting Colonial Secretary
19. 12. 64

(To be returned)

Report

The Indian witnesses in this instance were detained for safe-keeping, as is usual in cases of importance. They were allowed as much freedom in jail as was consistent with their safe custody. It is not customary to pay Indian witnesses for their time: such a practice would lead to abuse, & possibly, might destroy all confidence in their testimony. It is proper, however, to pay rewards for information which has led to the conviction of felons.

The Indians in this case were asked how much it would cost to furnish them with a canoe & provisions for their journey and they received the sum which they themselves demanded.

The white witness, who travelled and lived at his own cost was paid his expenses. It is probable that the Indians, having ascertained this fact, expected to have been paid a like sum each: hence, very likely, the cause of their discontent.

If Mr. Franklyn, the Magistrate at Narrine, did not intend the witnesses to have been detained, he ought not to have sent them to Victoria so long before their presence was required.

Moreover, express directions were given by His Excellency the Governor, that the ends of justice should not be frustrated by the absence of any material witness at this important trial.

A. H. Johnston

Witness T. B. M. Netto Mr Franklyn S. M.
Dec. 1864 Mile Station Dep. Justice
Patent to these people A.H. Johnston

Forwarded to the Magistrate, Narrine, by his informant and returned to Henry Wakeford
Acting Colonial Secretary
27. 12. 64

Rec. 21. 1. 65

Vancouver Island

 $\frac{175}{288}$ Magistrate's Office
Nanaimo, Jan. 18 1865

Sir

I have the honor to return
as directed, my letter of 14th Dec. 1864,
addressed to your office, relative
to certain witnesses in the case of
"Haskell & Desoquin's suit," recently
executed for murder, with the report
of the Magistrate of Victoria
written thereon.

I have the honor to refer to
your letter of 24th Sept. 1864 - $\frac{117}{826}$ -
containing instructions from His
Excellency the Governor that the witnesses
and depositions should be forwarded
to Victoria with as little delay as
possible - to explain the reason of my
sending them so long before the fact,
as alluded to in paragraph 4th of
Mr. Drummond's reports.

I have further the honor to
report

The Honble
Colonial Secretary
Vancouver Island

That I have communicated to
the witnesses before mentioned
that a sum of ten dollars each
(being at the date of the Sunday during
the time they were detained at
Victoria) will be paid them on
application at their office, together
with the five dollars to a woman
who paid her own passage back
in the St. David's, &c. - informing
them that the gratuity has been
ordered by His Excellency - as
per His Excellency's memorial
foot of report.

Approved
Mr. Franklyn informed
21. 1. 85

I have the honor to be
Dear
Your most obedient servant
W. Franklyn
St. Paul's Magistrate

R 1100 ⁵⁰ 15th January 1865

Stipendiary Magistrate
Panama.

Relative to Andrew Webster
detained in the case of the
Chimarron murderers.

W. H. Franklyn
52
960

Rec 19/12/04/ Magistrate.

F596
13

Vancouver Island

146
244

Magistrate's Office
Nanaimo, Dec 15th 1864

Sir

I have the honor to enclose
duplicate of requisition A, enclosed
in my letter of 14th / dated 12th October
1864, for the approval of His Excellency
the Governor, as per the original
has been carried.

Requisition approved
and returned to the Mag.
Mag. - W.H. Franklyn
19.12.64

The present demand will then
render the supply of the items therein
mentioned to be dispensed

I have the honor to be

Sir

Your most obedient Servant

W. H. Franklyn
Magistrate

The Honble
Colonial Secretary
Vancouver Island

Ms. 35
617

Rec^d 14. 10. 64
1 Enclosure

Vancouver Island

Superior Magistrate Office
Nanaimo, October 12th 1864

Sir
I have the honor to acknowledge
the receipt of your requisition for the approval of
this collection of the Groceries.

I have the honor to be
Sir
Your most obedient servant
W. H. Franklyn
Magistrate & Deputy C. D.

The Honble
Colonial Secretary
Vancouver Island.

N^o A.

Enclosure in N^o 35
617

REQUISITION.

Required the undermentioned for the service of the *Stipendiary Magistrate's* ^{Jamaica} Department, *October 5th*

1867.

Description of Article, &c.	Estimated Cost.	Date of last supply.	Report of Auditor as to Funds.	Approval or Remarks.
<i>One stove and pipings for bowk Room</i>	<i>\$24.75</i>	<i>Old one lent by F.C. & worn out None</i>		
<i>100. printed Commitments Form</i>	<i>\$3.00 per 100</i>	<i>By the Supreme Court 1862</i>		
<i>100 " Warrants "</i>	<i>\$3.00 "</i>			
<i>100. " Recognizance to Appear "</i>	<i>\$3.00 "</i>			
<i>100. " Clearances "</i>	<i>\$3.00 "</i>	<i>A few supplied by the Master at Victoria</i>		
<i>100. " Landing Permits "</i>	<i>\$4.00 "</i>			
<i>100. " Outward Manifest "</i>	<i>\$10.00 "</i>	<i>for present use. (1864)</i>		
<i>1 ton of coal per month for the use of bowk Room and Magistrate's Office</i>	<i>\$6.00 per month</i>	<i>1863.</i>		

The Honorable
The Colonial Secretary.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

P 35 October 12, 1864
617
Magistrate, Seaside
Enclosing separation
for Mr. P. H. H.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

P 522
960 Dec: 15th/64
Mag^r of Manassas
Enclosing requisition
for approval

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

R 52
964

Rec. 19/12/64

F 596
132

Campaner Island

153
255

Suspensory Magistrate's Office
Nanaimo Dec. 17th 1864

Referred to by minute
which is placed with
for the maintenance of a
Magistrate - Navy
Acting Colonial Secretary
20.12.64

Ad
22.12.64
H.W.

Sir,
Referring to my several
letters, relating to the disturbed
state of the town on this point, and
the great expense, attendant
on sending Constables from this,
bringing down persons, and
the charges, as exemplified in
the cases of "Sea-bird" and
"John J. Hart." I have the honor
most respectfully to suggest, that
unless His Excellency the Governor,
has been pleased to appoint, or
intends appointing a Suspensory
Magistrate for this District, that
it should be included in an amendment
to that of Nanaimo, there being
many cases in which a Justice of
the Peace for B.C. cannot decide
alone, when a Suspensory can.
I would

The Honble
Colonial Secretary
Vancouver Island

further suggest, that for the more
economical performance of the
duties, I should be authorized to
to make a monthly visit to the
great steamer for the purpose
of holding a court, arrangements
being made that the steamer should
remain one entire day at Common
by giving time for my so doing.

I think that as a Justice, they
paid Constable be appointed
whose duty besides preserving the
Public Peace, would be to collect
and deliver, hear, and plead, and
have writs ready for such
court when required.

I trust that His Excellency
will not consider my offering
these suggestions as a liberty
disrespectful, my only object being
the putting a stop to the present
law defying state of the Common
to the Court. and I had not intended
writing, if I had not been prevented
by duties from leaving Nassau
and waiting personally on His
Excellency.

I have the honor to be

Yr

Very Respectful Servant

W. H. Franklyn

Judicial Magistrate

P 52
964 Nov 17 1864
Maj Nacassis
Relative to details
state of minor settlements

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn
W.H.
P 32
965

Magistrate.

F596
14

19/12/64

Vancouver Island

152
282

Recd
11/1

Magistrate's Office.
Nanaimo, Decr. 17th 1864

Sir
I have the honor to report for
the information of His Excellency
the Governor, that since applying
for leave, I find that my duties will
not permit of ^{my} availing myself of
His Excellency's kind permission
to visit Victoria at present.

I have the honor to be
Sir
Your most obedient servant,
W.H. Franklyn
Magistrate

The Honble
Colonial Secretary
Vancouver Island.

P 52
965-Dee 17 1864
Magistrate, Danvers
cannot avail himself
of leave granted
him.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

M 64
801

Dec 21. 11. 64

Pinnaculo Island

His Excellency Magistrate Office
Nassau Nov. 18th 1864

Sir
I have the honor to inform
you that the name of the German
Boatman to whom His Excellency the
Governor has entrusted the
duty of on the occasion of His
Excellency's visit to Nassau
is "Samson".

W. Franklyn
Nassau
Nassau Nov 24 1864
S.P.M.

I have the honor to be
Sir
Yours most obedtly Servt
W. Franklyn

The Honble
Colonial Secretary
Nassau Island

P⁴⁴⁴
801 Nov 18th 1864

Mag. Narratives

Reporting the names
of the Deleware &
whom the Governor
extended mercy. &
to Sampson

Franklyn W.H.
907

Recd 24. 12. 64

F596
15

Magistrate.

Vancouver Island

154
238

Sending Magistrate Office
Nanaimo Dec 20th 1864

Sir
I have the honor to acknowledge
receipt of your letter of 10th inst, enclosing
copy of a notice, in the Govt. Gazette
of 13th inst, and to inform you that
the same has been forwarded to the
proper authorities and the instructions
have been duly carried out.

Yours obediently

Sir

Your most obedient servant

W. Franklyn
Sending Magistrate

The Honble

Colonial Secretary

Vancouver Island.

N 57
987. 20th December 1864

Stipendiary Magistrate
Hawaii

Notifying carrier out via Tacton
regarding Tenders for carrying
Mails to Hawaii's Honoy

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn
W.H.
54
908

Recd 24.12.64

F596
16

Magistrate - clerk.

Vancouver Island

155
259.

Magistrate's Office
Nanaimo. Dec. 21st 1864

Sir
Referring to your letter of
26th ult. informing me that
His Excellency the Governor had
been pleased to direct, that a sum
for the salary of Clerk to the Hon-
ourable Magistrate, Nanaimo,
should be placed on the Estimates,
for 1865. I have the honor to
respectfully to recommend
Mr Henry Fowler, to His Excellency
in that appointment, as
in addition to his being an excellent
accountant, he has become intimately
acquainted with the details of
the several Departments, under my
superision, from having a position
in it several months past.

I have the honor to be

Sir

The Honble
Colonial Secretary
Vancouver Island.

Your most Obedient Servant
W. H. Franklyn
Magistrate

R 57
P 986 21st Decemr- 1864

Stependary Magistrate
Hawaii.

Recommending Mr. Peck
for appointment as Clerk.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H.
1864

R 55
1060

Dec. 31. 12. 64

F 596
17

Liquor traffic.

Vancouver Island

Recd

Stipendiary Magistrate
Nanaimo Dec. 29th 1864

Sir,

I have the honor to report for the information of His Excellency, the Governor, that John I Hart of Comox, has been apprehended, and brought before me, and is convicted for having liquor within fifty yards of an Indian Reserve, in his house or store; in the full penalty, together with costs of conviction, according to the Indian Liquor Act. 1860.

And I would most respectfully request to be informed of any action and its results that may be taken by His Excellency, as on former occasions of the same nature, I have been left entirely in ignorance:

The Hon^{ble}
Colonial Secretary
Vancouver Island

I have the honor to be
Sir

Your most obedient Servant
W. H. Franklyn
Stipendiary Magistrate
Nanaimo

R. 55
1008. 29th December 1864

Stepoukany Mapichats
Nanaimo.

Depository of execution of John
J Grant for having signed
near Indian Reserve.

Franklyn W.H.
R⁵⁷
1863

Recd 7. 1. 65. 2 Enclosures
Leave of Absence - Pastmaster.
F596
18

Vancouver Island

161
265

Magistrate's Office
Nanaimo. Decr. 29th 1864

Sir
I have the honor to acknowledge
receipt of a letter, addressed to the
Office of the Hon^{ble} Colonial Secretary
by Mr C. Bryant, Postmaster at
Nanaimo, dated 9th inst, requesting
leave of absence & referred to me, by
order of His Excellency the Governor,
with directions for me to check and
report, written thereon, dated 17th inst.

With hon in charac
W.H. Franklyn
7. 1. 65

I have now the honor to report,
that finding Mr Bryant, to be a
the said leave at once, and that it was
necessary to obtain a respectable and
responsible person to undertake the
duties of the Office, and the being
the public service, I appointed
on the 23rd inst. Mr C. H. Bryce as
Temporary Acting Postmaster at a
Salary

The Hon^{ble}
Colonial Secretary
Vancouver Island

of two dollars / 82. / per Annum,
Subject to the approval of His
Excellency.

I have the honor to be
Sir
Your most obedient servant
Wm Franklyn
Sutpendary Magistrate

Memo

Two letters from Mr Boyant
enclosed.

Enclosure in ¹⁸⁵R 57
1863

Post Office Nanaimo
Dec^r 23/64

Sir ✓

As the Christmas vacation of the
Colonial School commences now
and continues during three weeks
(viz; until Jan'y 16th 1865). will
you please arrange for the
performance of duty in the Post
Office during that period and
oblige

Your obed^t servant
Cornelius Bryant

W. H. Franklyn Esq.
P. O. de de
Nanaimo

R. 57
1043.

29th November 1864

Stipendiary Magistrate
Havanna

Employment of O. W. Pryor as
postmaster during absence of
O. Bryant.

FILE 596

FRANKLYN, W.H.
1864, Nov. - Dec.

COLONIAL
CORRESPONDENCE

PABC

Franklyn W.H. R 55
No 159 203
1864

Recd. 31.12.64

F596
19

Magistrate.

Vancouver Island

Stipendiary Magistrate
Nanaimo Decr. 30th 1864

Approved
31.12.64
\$1131. 12 1/2
100

Sir:
I have the honor to enclose Requisition No 9., for the month of December, amounting to Four hundred and thirty one ^{12 1/2}/₁₀₀ dollars. for the approval of His Excellency the Governor, for payments, and to remark, that the large expenditure, was owing to the apprehension of John J. Heath, who has been convicted, and fined with costs, amounting to \$703. 75.

I have the honor to be
Sir
Your most obed^t. Servant
W. H. Franklyn
Stipendiary Magistrate
x c. x c. x c
Nanaimo

R $\frac{50}{1000}$ 50th December 1864

Stipendiary Magistrate
Kauaia

Forwarding account of Remuneration
for approval. \$451 $\frac{12\frac{1}{2}}{100}$