

Barnard &
Nelson



To His Excellency
Frederick Seymour
Governor of British Columbia

Sir,

Agreeable to your Excellency's
request at our recent interview that we
should submit in writing our objections
to the lease of the Cherry Creek Silver
Mining Company Limited - We have the
honor to lay before you the following
clauses, and ask that the lease in question
may be so altered as to dispense therewith,
as, in consequence of these objectionable
features in the lease, the Company have
thus far failed to obtain the necessary
assistance of Capitalists.

1. The Royalty - The principal objection to which,
is that Capitalists will not invest, where the
Government, or other parties, have power
at any time to inspect their books and
accounts, and demand copies of the
same; the spirit of the clauses connected
therewith,

Leas 28

therewith, are intensely obnoxious to minded
men.

2nd - The clause stipulating that the work
shall be conducted to the satisfaction of, or
in any manner subject to the supervision
of, an officer appointed by the Government.
This clause savours so strongly of patronage,
that it renders business men extremely
suspicious.

3rd - We pray to be relieved from the condition
requiring that thirty five per cent of the
Capital stock of the Company shall be
paid up at any given time - the payment
on the part of the Company of the annual
rental, of one dollar per acre, we consider
should be a sufficient guarantee to the
Government, that the Company will
continue to prosecute the work as soon
as their circumstances will permit.

In asking for these concessions,
we beg to remind your Excellency of
the great financial difficulties through
which many of the shareholders have
been

been compelled to pass. and that every
effort at interesting San Francisco men,
in the undertaking, was, owing to the
tenor of the lease, utterly failed - and
we therefore ask, that the lease be so
modified, as to enable the Company
to enter the money market, with some
prospect of success.

We would further respectfully
suggest, that a clause be inserted granting
to the Company the option of availing
themselves of any benefits under the
proposed new law relating to Silver mines.

We have the honor, to be,

Your Excellency's
Most obedient Servants
J. I. Barnard
Herbert Nelson

The deputation appointed by the directors
of the Cherry Creek Silver Mining Company
to confer with the Government -

Yale B.C.
July 23rd 1848

Report for the report of the Surveyor
General

10

29 July 68

Ed. M.

Report accounts

11/11/68

Comptroller

of the Treasury

Washington

D.C.

11/11/68

Cherry Creek Silver Mining Co.
Memorial

W.
Langh. 68
Col. 1st.

FILE 128

BARNARD & NELSON

COLONIAL
CORRESPONDENCE

PABC

I think application should be refused that it is the intention of
the Govt. they before the legislative Council is not to establish a uniform
mode of dealing, as far as practicable - with other of this kind. It is
proposed. But the terms here liberal than those under which the Cherry
Creek lease is held. The present Company should have the privilege
right under the new Ordinance when passed. To the measure here
However the continued to them

D.

1 Aug 1868

Colin

Wm. J. P. J. J.

By *W. J. P. J. J.* of S.O. 8th Aug 1868.
Messrs B. J. Barnard
and Hugh Nelson

Gentlemen

The Governor desires me to
acknowledge the receipt of your letter of the
2nd Ultimo upon the subject of the certain
conditions now contained in the lease granted
to the Cherry Creek Silver Mining Company
being dispensed with, the Company wishing
them as objectionable through having thus
far failed to obtain the necessary assistance
of capitalists.

I am to inform you that it is
the intention of the Government to lay before
the Legislative Council a Bill to establish

as far as practicable a uniform mode
of dealing with the occupation and
working of mineral lands. It is proposed
to make the terms more liberal than those
under which the Cherry Creek lease is held.
The existing lease will be continued for the
present to the Cherry Creek Silver Mining Company,
and should the proposed Bill become law,
the company will be able to take advantage
of its provisions.

W. G.