

Cause
26

F-60
1

British Columbia

Attorney General,
Vancouver August 1862.

Sir: I have the honor to
enclose the amended New
Westminster Sanatory and
Nuisance Byelaws 1862
for His Excellency's approval
and transmission to the
Municipal Council.

I have the honor to be
In your most obedient
and dutiful servant
Henry J. Pellissier
Attorney General

The Colonial
Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

24. Should not be Attorney General and
then to the Council - He has no power
to alter my law - not to confirm or
disallow after it is prepared to the
Council W.

My dear Sirs have 13 Aug 1862
Sent to Victoria Hall morning
yours on 13 Aug 1862
W. M. James Esq

LIGHT ORIGINAL

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Crease
27

32

M. Columbia

F60
2

Memorandum

The Government will
guarantee the payment of
the principal and interest
of any loan you may be
enabled to effect to the
extent of seven thousand
£7,400 four hundred pounds
sterling for the purpose
of continuing the work
of constructing the
Waggon Road now

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

under proof of being
built by you from
Lydon to Alexandria

This will be
confirmed to you
tomorrow by an
official letter through
the Colonial Secretary

Henry S. Pellus (Senr)
Attorney General

Attorney General's Office

5 Aug. 1862.

To
Messrs. Oppenheimer & Mosely

Crease
28

F60
3

23
Ad 15th August British Columbia.

Replied to 15th

Attorney General's
Office 13 Aug 1862

Done
11/17

Sir:
I have the honor to request
that circular orders may be
issued to the Magistrates through
out the Colony to transmit
to me Copies of all depositions
in criminal cases & sent
for trial at the Assizes
directly after any prisoner
is committed for trial.

The want of these copies
affects the proper working of
the Department.

The Colonial Secretary
for
British Columbia

I have the honor to be,
Your most obedient &
humble servant
Messrs. P. Bell & Co
Attorney General

Recd
29

Recd. 24. Aug. 1862

F60
4

134

British Columbia

Attorney General's Office

19 August 1862

Sir:

I have to acknowledge the receipt of Mr. Drew's dispatch of 9th Aug^t instant and Mr. Charles Bull's Drew's petition relative to the question you submit to me whether Mr. Drew is fully qualified for a seat in the Municipal Council at New Westminster.

It seems taken for granted that no question arises whether Mr. Drew's qualifications as to age, property, freedom from criminal taint &c. are acknowledged.

The Colonial Secretary

W. L. M.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

I therefore also assure
them to be sufficient -
and direct your attention
to the question of naturalization.

I have the honor to
report thereon, that an
alien or British subject
who has become alien
(as Mr. Drew confessedly has)
by taking the oath of
allegiance and fulfilling
the requirements for
naturalization in one
British Colony does
not thereby become
naturalized in another.

A Vancouver Island
naturalization is not good
for British Columbia - which

is independent of the legislation
of any other colony.

By the B. C. alien
act - the preliminaries
to naturalization must take
place before the Supreme Court
of the Colony.

The New Westminster
Municipal Council Act 1860,
which is a special and
subsequent act, and
dictates by positive enactment
the disqualifications of
even acknowledged British
Subjects - expressly provides
in so many words for
the case in point, and
pronounces Mr. Drew
disqualified from the fact

of his not having taken
the oath of allegiance and
complied with the
additional requisite
formalities before the
Supreme Court of the
Colony.

I have therefore
only to advise His Excellency
to affirm the decision
of the Magistrate at
New Westminster

and have the honor
to be Sir

Your most obedient
and humble servant

Henry S. Pelletier

Attorney General

Case
30

F60
5

25
H. P.

British Columbia

Attorney General's Office
20 August 1862.

Sir,
I have the honor to
communicate for your information
that I have sent this day

Copy of the Lillooet - Alexandria
Road Toll act 1862 to Mr Elliott
J.P. at Lillooet
and

Copy of the Lytton - Alexandria
Road Toll act 1862 to Mr. Balfour
at Lytton

I have the honor to be in
your most obedient and
humble servant
Henry P. Pelissier
Attorney General

The
Colonial Secretary
H. P.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

61 Works. 1862.
Toni's Agreement with
Oppenheimer & Moberly
Attorney General B.C.
Victoria 19 Aug 1862. 19. Aug 1862

My dear Colonel.

I have sent 4 Copies of
the Agreement with
Oppenheimer ~~to~~ to
him to execute and send to you.
1 Copy of his act to Ball
at Lytton
1 Copy of G.M. Wright's act
to Elliott at Hillcroft
Tomorrow I will send you
a 2nd Copy of Oppenheimer's
Contract for you to execute
and send to Oppenheimer
Col Moberly A.C.

after you receive this ^{F60}
document by him and
properly - not before.

I also enclose a letter
you left behind from
properly as to Haraloff's
proposed question.

I am very tired of
this. A new war
has arisen to keep me.

- Trust you found
Mr. Moody and the children
well. - To whom I am
me kindly. I believe me
Yours truly
Mary P. M. B. B. B.

Cease
31.

F60
6

Ord. 23rd

British Columbia

Attorney General,
Office 22 Aug 1862.

36
Sir. Agreeably with the instructions received from the Secretary of State for the Colonies I have prepared the accompanying Loan Act.

To carry those instructions out I have found it necessary to repeal the British Columbia Roads Loan Acts of 1861 and 1862. and the Temporary Loan Act of 1862. to clear the ground for the present Act.

The Colonial Secretary

L L L

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

The instructions and observations on the Loan Act of 1861. from the Colonial Office have been carefully attended to in framing the new act.

The principal points worthy of note in the present act are

That it defines the rate of interest and place of payment both of principal and interest.

The mode in which the sinking fund for the redemption of the debt is created, invested and reduced.

The signature of the Debentures by the financial Agents in England.

The Form of Debenture and Coupon.

And provide for the protection of Trustees investing in a manner which ^{will} it is anticipated one day be particularly useful in the Colony.

The other provisions of this Act are similar to those that have already been approved for other colonies and contain nothing new ^{with} the exception of the term of the loan which is now made for ten years instead of twenty.

In other respects it remains as in the Act of 1861. I have the honor to be Sir your most obedient servant,
Henry St. John
Attorney General

Crease
32

30
R^d 23^{ms}

F60
7

British Columbia

Attorney General's Office
22 August 1862,

Sir,

I have the honor to report
that in order to carry out
the agreements with the
Contractors of The Lillooet-
- Alexandria and the Lytton-
- Alexandria Waggon Roads I
have found it necessary to draw
the Proclamations named in
the margin

"The Lytton
Alexandria
Road Toll
Act 1862"
"The Lillooet
Alexandria
Road Toll
Act 1862"

Each Act imposes a Toll
for five years of one half penny
per 10 avoirdupois on goods
and chattels using any part
of either route.

And a modified Toll on
measured goods.

The Colonial Secretary

L L L

FILE 60 ATTORNEY GENERAL (B.C.) COLONIAL PABC
1862 AUGUST TO DECEMBER CORRESPONDENCE

And a Toll of One Shilling
a head on Cattle.

With an exemption of
Government goods and fathb.
from the duty.

The acts then make
provision for government advances, as
limited by the collection apporportion-
ment and payment of the
Tolls to the purposes specified
in the Road contracts,
particularly the repayment
of Government advances.

A Power for Government
to redeem the works at
a fair valuation - within
a certain time.

The execution of
the works up to specification,
in pain of forfeiture.

And of Repair and

any necessary deviation,
or improvements of the
line.

The imposition and summary
mode of recovering penalties
on evasion of payment of
Toll.

The prevention of
fraud by Toll permits
in certain forms, to be
produced on demand.

And a saving of
private and public rights

I have the honor to be,

Yr most obedient
and humble servant

Henry J. Weller-Sear
Attorney General

F60
72

British Columbia.

Attorney General's Office
23 August 1862.

Sir,

I enclose ~~the~~ draft of
the agreement with Mr.
G.B. Waight -

The Proclamation is in
exactly the same words
as the Agreement

The pencil interlinings
which are found in the
enclosed not actually
referring to G.B. Waight's
Contract may be
disregarded in reading
this draft with a
view to ascertaining

The Chief Commissioner
Roads and Works
for British Columbia.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

the ^{future} ~~and~~ position of the
Toll Collector on
the Road

I will adv. you
to return me the
draft when ~~it is~~
done with

I have the honor
to be fir
your most obedient
and humble servant
Henry J. Pelletier, Secy

The toll can be
gathered on the
1st Sept. 1862. —
as the act is signed
It should be published
as soon as possible.
I sent a ^{proclamation} copy to Mr. Elliott

As I understood from you
that Mr. Soney was
up at once / with
you.

63. York. 1862.
Enclosing Agreement
with Mr. G. B. Wright
P.
Att. General B.C.
30 Sept. 1862.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE PABC

Revised

F60
7b

Attorney General's Office
25th Aug^r 1862.

Sir,

I sent by Mr. Boneyou
Saturday Mr. S. B. Wrights last
executed agreement upon which
the proclamation is based
and from which it is almost
copied

I have the previous
modified one very much
at your service should you
wish it.

I have the honor to be

Sir

Your most obedient
servant.

Henry Pelletier
Attorney General.

The Chief Commissioner
h. m.

by: 1862.
Hugh's last executed
Agreement forwarded
for Mr. Conroy -
Witness
Attorney General
B.C.
25 Aug 1862.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Crease
133

F-60
8

N. 28th

British Columbia

Attorney General's Office
25 August 1862

Sir:

R. W. Darling
New West?

Referring to the murder of
Lewin Soholooky
and Roushier near
the Forks of the Quesselle in
this Colony
I have the honor to request
that David W. Darling now in
jail at Victoria (Victoria Island)
may be transferred under proper
custody to the jail at this
place under an order from your
Department and that Mr. Javanagh
who laid the information against
the said David W. Darling should
be directed, or if necessary forced
to attend to give evidence in
the case.

I have the honor to be
Sir,

Your most obedient
and humble servant
Henry P. Bell
Attorney General

The Colonial
Secretary

Case
33

British Columbia Warrant of Arrest.
To wit By C. Brew one of Her Majesty's
Justices of the Peace for said Colony

Whereas information was this day made before
me on oath by H. P. Cress Esq^r Atty General
for British Columbia aforesaid that there is strong
reason to believe that David W. Darling known
to reside in San Juan Island was implicated
in the robbery and murder of three men, namely
Lokolock, Lewis, and Rouchin near Squemish
in the said Colony in the month of July last
and that it would serve the ends of justice and
help to lead to the discovery of the murderers of
the aforesaid three men if the said David W. Darling
were arrested and brought up for examination
before one of Her Majesty's Justices of the Peace
for said Colony of British Columbia.

There are therefore to command you in Her
Majesty's name to take the said David W. Darling
into your custody and convey him before me
or some other of Her Majesty's Justices of the Peace
for said Colony for examination or to be further
dealt with according to Law.

Given under my hand and seal this 25th
day of August 1862 at New Westminster in the
Colony aforesaid.

To all Chief and other Constables
and all peace officers in and
for said Colony this to execute



Case
No. 24.

Reps of *[illegible]*

F60
9

British Columbia.

Attorney General's Office
28 Aug. 1862

*Direct copy to
submit to
from out*

*The purpose of this
is not to*

I have the honor to submit
to His Excellency's consideration
the enclosed proposition of
Mr. G. M. Wright and Mr. George
Landvoigt on the part of Mr.
Thomas Spence - to define
the compensation, and mode
of ascertaining same, in cases
where public works come into
contact with ditches.

And then request for an
act to enforce the same.

Such an alteration as

The Colonial Secretary
de la
B.C.

they propose would effectually
meet the ends of justice
and could be readily effected.

I have the honor to be
- Sir

Your most obedient

and humble servant

Henry P. Kellogg, Secy.

Attorney General

Case
34

Victoria August 10. 1862

Sir, Acquaintably to your request the other day I will suggest the matter which should be provided for in an Act defining the rights of ditch Companies, when they come into contact with those of wagon roads. -

1st That no car such wagon road shall necessarily run in such close proximity to the ditch, that it shall be necessary to turn off the water temporarily, in order to rebuild the ditch or to replace it by a flume - Such privilege should be granted to road Contractors, upon paying such reasonable compensation, as the Magistrate of the District should decide upon for the said stoppage of water. -

2nd That all culverts necessary for the passage of waste water, (unless when a natural stream already exists) should be built & maintained at the cost of said ditch Companies -

2nd What in case of any ditch going
away from its not being properly constructed
& secured (unless when located by injury
to the building of the road in its vicinity)
all the damage ~~resulting~~ resulting therefrom
shall be paid by said ditch Company.

I should judge the last thing to be
already law - but think that if the whole
of the embodied clause in an Act it would
serve the present & future with Contracting much
better.

I have the honor to

H. P. Cowan, Esq.
Att. Gen. B.C.

Yours
A. B. Keith

I have already addressed a line to
the Colonial Secretary from Victoria in these words.

Crease
34

W. C. G. Young Esq.
Colonial Secretary.

Sir:

I had the honour on behalf
of Mr Thos. Spence through the Attorney
General of calling the attention of His
Excellency the Governor to the harassing
legal proceedings, which have been con-
ducted by the owners of an almost
deserted ditch near Boston Bay
against Mr Thos. Spence, claiming
exorbitant damages against him,
while obeying the instructions of the
Magistrate, and following out the
Government specifications in building
the Boston Bay road, and at the
same time informing them, that
these owners had refused a more
than adequate compensation
which had been offered to them
by Mr Spence, and had retained
Mr Walker on their behalf, to con-
duct the case in the Supreme
Court.

Upon ^{referring} the matter to
His Excellency, he was pleased
to instruct the Attorney General
to defend Mr. Spence on behalf
of the Government when the case
came out for trial.

As

As the case is one which from the
similar level of ditches and roads
must constantly occur, and Government
Contractors, who cannot show their
line, should be protected from extortion
I have the honour to submit, that
an Act should be passed, which without
any injustice to ditch owners, should
afford the above protection - and
containing the following provisions:

1.) That all questions of
compensation between ditchers and
public works should be settled finally
by the local magistrate

2.) All ditch companies should
at their own cost (where no proper
natural water channel exists) build
and keep in repair adequate
culverts to carry off their waste
water

3.) That contractors for public
works should be allowed the privi-
lege, when such a course is de-
sirable and with the sanction and
subject to the directions of the
resident magistrate) of temporarily
shutting off the water of a ditch
so as to rebuild or repair ditch or re-
place it by a flume

A local jury is so often mixed
up with ditch companies directly
or indirectly (as by debts incurred etc.)
that they cannot be expected to do
justice to the contractor

The

The plan, I submit, would do
justice on both sides, and I earnestly
trust, that it, or a similar one
may be adopted without delay,
otherwise the cost of all future
Government Contracts will be pro-
portionally enhanced to enable
contractors to meet the harassing
and extortionate demands of ditch
owners, who will not bona fide
work them, but under color of
law seek their richest claim
out of the pockets of contractors
who cannot help themselves

Awaiting as I trust your
favorable reply,

I have the honour
to sign myself

Yours

Wm. D. Saur

I have taken the liberty of pressing
this matter on the Attorney General's
attention on account of its urgency.

New Westminster Aug 26th 1862

Recd 1 Rept. pm

F60
9a

British Columbia

Attorney General's Office
1st September 1862

Sir

I have the honor to submit
the Agreement of the 14 August
1862 between yourself
and Messrs Alfred Waddington
and John Sebastian Helwick
respecting the Town site
at Butte Inlet.

I have the honor to be

to your most obedient
and humble servant

Henry S. Pelland Pease

Attorney General

The Chief Magistrate

Victoria B.C.

65
3
New York
1862
Show of agreement with
A. Washington of the
- But will read
Attorney General B.C.
12 Sept 1862

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Crease
35

F60
10

British Columbia.

Attorney General's Office
3 Sept. 1862.

Sir:

I have the honor to
acknowledge the receipt of
your letter of the 1st inst.
no. 206.

Enclosing the Copy
of the Report of The
Commissioners of Inland
Revenue to the Lords of the
Treasury on "The
Excise Act 1861." for my
information.

I have the honor to be,
your most obedient
and amiable servant

The
Colonial Secretary
de de la

Henry J. Fellew Crease
Attorney General

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Crease
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F60
11

British Columbia

Attorney General's
Office 5 Sept 1862

Handwritten:
C. J. Fox
1862

Sir

Lytton - Alexandria Road

I enclose a letter from
Mr. Charles Openheimer
just received requesting
a short additional
Act to prevent an
evasion of the Lytton
Tolls by Trains crossing
the Thompson Ferry
at Lytton within
300 yards of the
Terminus of the

The Colonial Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Waggon Road.

On August 1st
I am informed
that the reason
is not a merely
temporary one:
and in anticipation
of instructions to
that effect I
am now preparing
a short Act

which I propose to
submit for His
Excellency's approval
and forward to you
by the next Boat.

I have the honor
to be Sir

Your most obedient
and humble servant

Henry P. Weller Esq
Attorney General

Crease
#36.

To N. W. Stephens Esq
H. P. P. Crease Esq
Attorney General
New Westminster

Sir
On my return from Victoria to Lytton
having discovered that a large quantity of
goods are passing by the way of the Lytton Ferry
across the Thompson via the Trail by Boat
River in order to evade the toll and
this point having been entirely overlooked
by me in examining the Draft Proclamation
I should now propose that a Pro-
clamation be issued imposing a toll
on all Goods or Cattle leaving wharves
by the Lytton Ferry or the Waggon road
and whether by land or water and for
any places in the direction of Abbotsford
not being within the two mile Circle
mentioned in the Act.

And that all persons
evading this toll should be subjected
to the same penalties recoverable and
enforced in the same manner
as tolls under the Act itself.

I am certain this point should
have escaped me before.

Trusting that this
may for the sake of the speedy collection
of tolls be approved and carried out
at the earliest practicable moment.

I have the Honor Sir to be your
most obedient Servant.

Charles J. Spenshiner

Crease

37

F60
12

British Columbia

Attorney General's Office
5 Sept 1862

Regulations
proposed

Sir,

I have the honor to
acknowledge your dispatch
of the 4th inst with
His Excellency's instructions
to submit the draft of
an act regulating the
difficulties likely to occur
between public works and
mining ditches.

I have today prepared
the required draft,

As soon as it is

The Colonial Secretary

L L h

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

6 3
fair Copied I will
forward it without
delay.

I enclose a letter
which has just arrived
from Mr G. B. Wright
on the same subject

I have the honor
to be Sir

Your most obedient
and humble servant,

Henry J. Peltier, Secy
Attorney General

Crease
Copy
W. P. Pelton

Sillwaet Sept 11 1862.

Sir,
By Capt Parson I address another
line to you in regard to the "Act"
defining the rights of ditch companies.
I have just returned from an inspection
of your road and will inform you
that it has recently been washed
away in several places by their
turning their waste water upon
it and neglecting to prepare cutbanks.
In one instance even where the
ditch has broken away below the
road they claim that they are
damaged instead of us.

I must apologise for troubling
you so often on this point but it
is one of vital importance to us.

I have the honor to remain

Your obedient Servant
"G. B. Wright"

H. P. Pelton
Atty. Genl.

Crease
37
Recd 5 Sep 1862. N.W. Howe, Jr.
Forwarded to the Colonial Secretary

Leicester Aug 30, 1862

Mr. J.P. Fisher, Genl. & Co. Sir -

When my arrival here I find additional trouble with the ditch Company, concerning whom I spoke to you -

During a recent rain storm, the ditch overflowed, and washed away a portion of our road - They have also in an instance turned their waste water, when there was no properly constructed culvert, and washed a gully about 10 feet deep for some eighth of a mile - In one other place they have run the ditch for a mining camp without even building a culvert at all -

I call your attention to these facts, in order that you may hasten the "act" defining their rights. By doing so, you will not only favor us, but all road Contractors in the Colony.

Yours Respectfully,
G. R. H. W. T.

Rec^d 8th Sept 1862

F60
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British Columbia

Attorney General's Office

5 Sept 1862

Sir. In reply to yours of 5 inst.
The expression "Cattle" in
the act means animals
domestic nature, and
in order to make the
general meaning unambiguous
the words "of all descriptions"
are added.

It therefore includes
horses, cows, sheep, goats,
swine, bulls, calves, & other
A-hoc genus omnia.

I have the honor to be Sir
Yours most obed^t & humble serv^t
The Secy of the Commission
Wm. B. Wood
in the way
Wm. B. Wood
Attorney General

by: Notes 1862.
Regarding the expression
"Cattle" in reference to the
"Doubtless act" —
Attorney General B.C.
6 Sept. 1862

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Cross

NW. 5 Sep 1862
F60
13

I am told Wright is charging me
several of his hands.

Dear young.

Mr. C. Mendenhall is here.
Prot me a letter from Mendenhall which
I enclose.

Mendenhall is going down
below to get a further loan -
but has no idea of troubling
the Govt. - about it -

He says he has been met
with so much consideration that
he would not think of asking
further aid until he has
exhausted all his private resources.

He says they have spent over
\$90,000 already for ash: he has
vouchers - up to the day he
left - and goes on at \$1000
a day for wages alone.

It will certainly assist
him most materially and
postpone indefinitely any call
upon us - if you will give
him a helping hand with
either of the Grants.
He and his friends
alone being responsible.

I send this Agreement - as there is
no duplicate - in case a reference should be
sent says he has worked
ok along fully up to
specification wh. S.W. has
not done -

I had an Act prepared
for ditches and roads; but
it wants copying out - I have not
time as the steamer is starting.

I met Mr. Malcolm Cameron
and remembered him the

me
He told me he came out
to see the country generally
to be able to speak about
it - whenever the subject
came up of Pacific
Road part rail part
Wagon - and also
he informed me - "for
speculation" He supposed as to which
at the junction of roads already made here.
I have not any

pr. off. Dec as to paragraph
3 of Dispatch of 15 Oct 61
because I can't at the

required.

moment lay my hand on it
- I must be in a boat of
A. Morrison has the key.
and he will not be here
for a day or two - as I
in the end of going away myself
he pitched him up (at
the species with a lapse)
to collect the missing
evidence in species dish
Case wh. The Gov. told
me to defend.

I hope it is no thing
argued - it be so - with
it be troubling you too
much to ask a copy
of it -
Yours very truly
A. M. Bell

Please excuse this paper
- no time to get other.

Cross
38-

Cook & Hinckley's Ferry
Aug 28th 1862

Dear Cass,

On Appleton's return I
learned from him that a totally different arrangement
has been made by the Govt. which really
convinces me that we get only £21000 instead
of £29000 advanced on the road and that instead
of getting it advanced on the road from Lyttelton to
the junction we get only £11400. advanced on this
section and £9600 to be advanced on section which has to
be paid. This new arrangement has completely thrown
me out of all my calculations and after carefully
going into the matter with Appleton we find
that we have expended more on the road about
£18000 and that in order to finish it to the Junction
we shall require £20000. one half of it at once and
the other half about the 10th next. If you cannot
arrange so that the Govt. will help us in some
way or another to get this money will you
give us your best assistance to procure a loan
on our charter, which every year is to be collected,
is nearly a good security. If we could borrow
the money for 18 mos. or 2 yrs it would be
much better than for a shorter period but
as Appleton says down you can settle
all these points definitely. If we cannot

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

manage to obtain this money we will be
compelled to stop work at once as it
is quite out of our power to carry it on.
The line of road from Lytton to a point 12 miles
above the Ferry, with the exception of two or
three miles has been extremely heavy and muddy
since since the admission by the Govt. difficulty
we have had in obtaining supplies & consequently
the high prices we have had to pay for them.
Humbert will explain to you the manner in
which we propose to raise a loan if the
Govt. do not assist.

I have purchased Lewis' interest in the
road the receipt for which I enclose
to you in order that the necessary papers
may be made out - if we get the above
money - if not it will be unnecessary as
the road will be nowhere.

The Indians are dying all round here
by dozens with slender food and last night
I could not sleep from the howling at the outdoor
lodges over the remains of some unfortunate
friend.

I wrote to you some time ago in answer
to your letter to me & hope you recd. it
off. tells me you did not. I sent it by mail -
we have now about 40 miles of road finished
which brings the outlay to about \$2250 per mile
the reason why the bal. will cost heavily

is that we have to do a large
quantity of blasting as well as
the grading - you must excuse the
irregular way in which this is written
as I have to write in a great hurry
& in a hot room well crowded
Yours in haste
W. H. Wood

H. P. P. Owen Esq
New Westminster
B. C.

Cross
39.

F60
14

P.O. 11. Self

British Columbia.

Dear

Attorney General's
Office 6 Sept. 1862

Sir.

In acknowledging your
dispatch of the 2nd ult. (1862),
I have the honor to inform
you that I have paid
the sum of one pound ten
shillings required by
Paragraph 3. of your dispatch
of the 14 October 1862. to
the Treasury at New
Westminster. I have the honor to

be Sir, your most obedient and
humble servant

Henry J. Pelly, Esq.
Attorney General

The Colonial Secretary
do do do

Crease
1840

F60
15

[Handwritten signature]

British Columbia

Attorney General's Office
9 September 1862

These regulations
& regulations were
considered by the
at Westminster
before
retreat
M.

I have the honor to
enclose for His Excellency's
approval the drafts of
the "Lyttelton - Alexandria Toll
Act 1862."

and of the Rules and
Regulations for regulating
the interference of works
with Ditches or mining rights.

I have the honor to be
your most obedient
and humble servant
Henry J. Pakenham
Attorney General

Colonial
Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Whereas under the Gold Fields Act 1859 The Governor for the time being of the Colony of Columbia is empowered by writing under his hand and the public Seal of the Colony to make Rules and Regulations in the nature of By-laws for all matters relating to mining.

And whereas it is expedient to provide for cases in which roads or works injure or affect ditches or other mining rights

Now therefore I do hereby enact proclaw and make the following Rules and Regulations

Any Person heretofore or hereafter engaged in the construction of any road or public work may with the sanction of the Gold Commissioner crop divert or otherwise interfere with any ditch water privilege or other mining right whatsoever in such manner and for such period as the said Commissioner shall direct.

The Gold Commissioner shall order what (if any) compensation for any such damage or interference shall be paid and to whom and whether any and what works damaged or affected by any such interference as aforesaid shall be re-

placed by filices or otherwise repaired and in what manner by the person or persons inflicting any such damage.

Upon compliance with the requirements aforesaid the said Commissioner shall certify by any writing under his hand that the person or persons named therein were duly authorized to create the damage or interference aforesaid and have duly fulfilled the requirements hereinbefore mentioned and have also duly satisfied and discharged all damages by him or them occasioned to any persons whatsoever from or in respect of the damage or interference therein referred to.

The said Commissioner may inquire into and decide all matters arising out of or connected with any such interference as aforesaid and such decision shall be final and without appeal.

Every such certificate shall be recorded in a book by the said Commissioner in a book to be kept by him for that purpose at his office and shall be at all times open to inspection without a fee.

Every such certificate so recorded shall be evidence

in any court of Judicature in the colony of all matters or things therein contained or referred to and shall ^{and shall release the person or persons therein named from all liability for the same as if they had not been so referred to.} ^{interference aforesaid.} ditches water privilege or receiving right shall at their own expense construct secure and maintain all culverts necessary for the passage of waste or superfluous water flowing through or over any such ditch or water privilege or right except in cases where a natural stream or river applicable and sufficient for the purpose exists in the immediate vicinity.

The owners for the time being not being the Government of any ditch or water privilege shall construct and secure the same in a proper and substantial manner and maintain the same in good repair to the satisfaction of the said Commissioner and so that no damage shall occur during the ownership thereof to any road or work in its vicinity from any part of the works of such ditch water privilege or right giving way by reason of not being so as aforesaid constructed secured or maintained.

Case
540

British Columbia

V. R.

Proclamation

By His Excellency James Douglas
Companion of the Most
Honorable Order of the
Bath Governor and
Commander in Chief
of the Colony of
British Columbia
Vice Admiral of the
same &c. &c.

(Recital as usual)
Whereas it is expedient to
prevent the evasion of the Toll
created by the Act of the Legislature

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Road Toll act 1862 by
reason of the transmission
of dutiable articles by
from Lytton by trails or
routes other than the
Waggon Road now in
process of construction from
Lytton to Alexandria

Now therefore I
do hereby declare proclaim
and enact as follows:

From and after the ^{extends the}
date of this Act the Tolls ^{existing tolls}
leviable under the "Lytton ^{to all goods}
Alexandria Road Toll Act ^{from Lytton}
1862." shall be levied ^{towards}
assessed and collected ^{Alexandria.}
from all persons whomsoever
not only upon goods chattels

merchandise and cattle passing
or carried along any part of
the road now in process of
construction from Lytton to
Alexandria but shall also be
so levied upon all merchandise
store productions chattels and
cattle of all descriptions passing
having taken or carried
whether by land or water
from Lytton to Alexa in
the direction of Alexandria
by any ^{way} other than the said
road and with under and
subject to the same exceptions
penalties and penalties recoverable
in the same manner as
is enacted in that behalf
for the ^{equipment} collection recovery and
application of Tolls ^{and penalties} by the
said Lytton - Alexandria
Roads Toll act 1862.

In the construction of this
and of the last mentioned
Act. The word "Cattle" shall
be deemed to include all
Animals "domestic nature"
This Act may be cited as "the Cattle Act 1862." Signed &c.

(Conclusion as usual)

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Case
41

F60
16

H

Peter Columbus

Also
15 Sep 1862

Sir:

I have the honor to acknowledge
to enclose

Apprenticeship & indentures

Contract requested by
Apprenticeship & indentures.

with endorsement

and receipts the

same in which please

fill up & return

with the ~~the~~ duplicate

papers sent down

after ~~provision~~

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

so that I may
procure their
execution by
Oppenheimer
most truly and
the Chief Commissioner
Mr Oppenheimer
will inform you
when he returns
and call here
for the purpose

of completion
I have the honor
to be Sir
Your most obedient
and humble
servant

Henry J. Peltus
Attorney General

The Colonial Secretary

LIGHT ORIGINAL

Encl

Copy

F60
162

British Columbia

A.G.O.
15th Sept 1862

Sir,

I have the honor (in haste)
to enclose

Oppenheimer & Moberly
Contract requested by
Oppenheimer & Moberly -
both endorsement and
receipt. The sum in which
please file up & return with
the other Duplicate papers
sent down so that I may
procure their execution

by
20000
2
240
84
4225
30

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

by Oppenheimer & Moberly
and the Chief Commissioner

Mr Oppenheimer will
inform you when he returns
and call here for the
purpose of completion

I have to

B. August P. Newhouse

Att'y Genl

To
The Colonial Secretary

J. J. J.

Case
42

F60
17

7. Pd 19th Sep

British Columbia

Attorney General's Office
16 Sep 1862

Put
file away

Sir.

I have the honor to
acknowledge the receipt of the
enclosed two Communications

10 Sep 1862
W. Brew letter

accompanying
list of prisoners
recommended
to mercy.

from W. Brew referred to
me by His Excellency for
opinion and report on the
list of prisoners recommended
to mercy.

Accordingly for His
Excellency's information I
have to report as follows:

The Colonial Secretary
for British Columbia.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

No. 1.

George Becker.

This prisoner altho' fully participating in the intention to rob and to let in the convict Sprague for the purpose - was nevertheless prevented from putting this intent into execution. He was asleep when the burglary took place. Sprague having passed in by picking the lock of the house door and actually entering over the sleeping form of his ^{intended} companion without awakening him.

Although called for and useful at

the time in the then State of the Country and warranted by the Verdict I think this is a sentence to which the Crown can safely extend its prerogative of Mercy.

I therefore recommend that he be released at once upon a Ticket of leave keeping him under surveillance and liable to recommitment at any moment to serve out the remainder of his Term in prison upon any misconduct or reasonable suspicion.

thereof.
No 2. Michael Hays.

This man appears to have known that something violent had happened to Dr. Fisher, tho' probably ignorant of its precise nature. That he was a consenting party to the murder does not appear.

I submit the justice of the case will be fully satisfied by continuing his imprisonment for to the end of 2 years instead of 7. and then (if still well conducted) granting him a similar ticket

2

of leave to the foregoing.

No 3.
Frederic Eckert

From the circumstances of this case I recommend that this prisoner should continue to be incarcerated until 2 years of his original term are expired when (if still well conducted throughout) he should be pardoned
No 4.

Henry Hanson

Should I submit be

pardoned when one
Year of his term is
Expired provided he
shall have continued
to be well Conducted
up to that period

In making these
Recommendations to
His Excellency I have
to observe that I
have been compelled
to make enquiries
in different quarters
to arrive at the
facts which were
disclosed upon the
trial of each case

The Judges' notes, the only
reliable evidence, not
being with the Records.

I have the honour
to suggest that these
notes with all Records,
Civil as well as Criminal
should be kept in a
safe and authorized
Office or place of Record
at the seat of
Government for the time
being in the Colony.

That where it is
necessary that any
Record or Note, should
follow the Assize
Duplicates of the same

properly certified (for
a time, if practicable
by the signature of the
Judge) should be left
in their place.

At present the
greatest inconvenience
is occasioned in the
carrying on important
portions of the legal
business of the Colony
from the lack of
such a provision.

I have the honour to be
Sir your most obedient
and humble servant
Henry A. Pelletier
Attorney General

List of Prisoners favourably Recommended

No	Name	Particulars
1	George Becker <i>George Becker Indolent & idle as committed on any other prisoner</i>	Convicted of being concerned in robbery of gold dust from a house at East-gale sentenced to imprisonment for life. Served in jail 2 1/2 years, aged 22 years. Sprague convicted of the same crime declares that he alone is guilty that Becker knew of the robbery but took no part in it.
2	Michael Hager <i>Michael Hager 11 years in jail for robbery</i>	Accessory after the fact to the murder of Doctor Egan. Sentence to 7 years imprisonment. Served in jail 1 1/2 years. Remanded for trial. aged 25.
3	Frederic Eckert <i>Frederic Eckert convicted of stealing money</i>	Convicted of stealing money at Pilbovet. Sentence to 10 years imprisonment. Served in jail nearly 1 1/2 years. Convicted a severe sentence.
4	Henry Hanson <i>Henry Hanson convicted of stealing served in jail nine months</i>	Convicted of Horse Stealing sentenced to 2 years imprisonment. Served in jail nine months.

New Westminster B.C.
10th September 1862

L. B. New
C. D. P.

Case
43

Advt.
22 Sept 1862

No 112.

British Columbia.

F60
18

Attorney General's
Office. 19 Sept 1862

Sir.

I have the honor to report
for His Excellency's information,
upon the following Act
and Rules and Regulations

1. Lytton - Alexandria Tolls
Act 1862.

Provides that the Tolls
under the "Lytton - Alexandria
Road Tolls Act 1862" shall
be paid by all goods
and cattle - taking side
trails past the places
where tolls are now
levied and falling
into the Road higher

The Colonial Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

up.

Its practical effect is simply to prevent an invasion of the Falls not foreseen in the Road Act.

It can therefore with propriety be sanctioned by His Excellency

2. Rules and Regulations
under the Gold Field
act 1864.

Leaves the decision of cases in which the interests of the makers of roads or works conflict with those of the owners

of ditches water privileges or mining rights to the decision of the local Gold Commissioner - giving a power of appeal in cases where the value of the matter at issue is decided to be over £200 to the Supreme Court - upon the appellant giving security for the prosecution of such appeal.

Enables persons constructing roads or works under the sanction and directions of the Gold

Commissioner to cross ditches
or running rights upon such
compensation or terms as he
shall prescribe.

A certificate from the
said Commissioner of compliance
with these requirements and
and the payment of the
damages he may after being
evidence of such compliance
and discharging the person
to whom given from liability

Directs the record of
Certificates open to search
upon Payment of a small fee.

Enforces the proper
construction of ditches and
an outlet for the waste water
(which at present inflicts
constant damage on roads)
and visits damages caused
from improper construction
or repair with summary remedy
before the local Magistrate

An enactment which His
Excellency can be recommended to
pass as necessary, proper and just.
Sanchez hador to the Hon. J. P. de la Cruz
Governor of the Island of Cuba

Case 44

Westwood
Sept 22

F60
19

10113

British Columbia

Attorney General's Office
17 September 1862.

Sir,

I have the honor to enclose
The Lytton Alexander Road Toll Act 1862 for
execution and
The Fair Copy of Draft Rules
and Regulations under the
Gold Fields Act 1859. - after
amendment and approval by
His Excellency. - with the
request that you will be
pleased to affix thereto
the Seal of the Colony
and obtain His Excellency
the Governor's signature
thereto in full, and further
the completion thereof as Law.
The necessity for which is further
conformed by the enclosed letter
of the instant from Mr G.B. Wright

The Colonial
Secretary

I have the honor to be
Your most obedient
and humble servant
Henry P. Fildes
Attorney General.

FILE 60 ATTORNEY GENERAL (B.C.) COLONIAL PABC
1862 AUGUST TO DECEMBER CORRESPONDENCE

Cross
45

Met 21

Acknowledged
22 Sept. 1862

F60
20

British Columbia

No. 114.

Attorney General's Office
18 September 1862.

Sir,

I have the honor to
enclose the "New Westminster
Municipal Extension Act No. 5."
for approval and completion

As His Excellency is
desirous that the Municipal
Council should be forthwith
empowered to contract a
loan I have the honor
to request that it may be
transmitted and proclaimed
at an early date

The Colonial
Secretary

I have the honor to be
Your most obedient
and humble servant
Henry S. Bell
Attorney General

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE PABC

Cross
46

21

F60
21

British Columbia

Attorney General's Office
18 September 1862

No 115

Sir

I have the honor to report
that pursuant to instructions
I have prepared the "New
Westminster Municipal Extension
Act No 2." &c

This Act after repealing
the portion of Clause 35 of
The New Westminster Municipal
Council Act 1860 which
renders the written consent
of the majority of the
rate payers on the Roll
necessary to the creation of any tax beyond
2 percent enacts that the consent
of a majority of the rate
payers on the aforementioned
Roll who are Residents
and present for the time

The Colonial Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

being shall be sufficient
for a Requisition to the
Council to establish a
further Rate in addition
to the 2 per cent rate under
the act of 1860.

It then proceeds to
enable the Council to
borrow money on the
security of the general
Revenue of the City or
under a Special Tax
by the passage of
a By law, after a
proper requisition;
and preserving the
habitual checks afforded
by the necessity of

The Governor's Confirmation.

As the alteration in
now way renders the
Government liable for any
loan which the City may
contract, or (in practice)
infringes upon the principle
that is established for
taxation by the act of
1860, or appears otherwise objectionable,

I have had no
hesitation in recommending
it for His Excellency's
adoption.

I have the honor
to be Sir

Your most obedient
and humble servant
Henry J. Pelletier, *pro*

Attorney General

Cross
47

53

British Columbia

F60
22

Attorney General's Office
27 Sept 1862

Sir, I have the honor to
submit for His Excellency's
approval and recension
An act to be called
The Hilloet Alexandria Toll
Act 1862.

And to report thereon
that it contains a provision
enacting that the Tolls levied
under the Hilloet Alexandria
Road Toll Act 1852 - shall
be levied upon all goods
and animals ^{passing by} ~~leaving or~~
Hilloet ~~in the~~ direction of Alexandria and
whether by land or water.

The object of the act
being to prevent the evasion
of the Tolls at present
contemplated - by means
of side trails near Hilloet.

I have the honor to be

Sir

Your most obedient &
humble servant
Henry P. Pelly
Attorney General

The Colonial
Secretary

Case
48

Bl. 2009

F60
23

55

British Columbia.

Attorney General's Office
30 September 1862.

Sir:

Enclosed

I have the honor to
enclose a letter from Mr.
Laudvright - who has
also applied to me
personally for the
information he seeks
as to the position in
which the proposed
Act at present is.

Can I deal with
it as a complete Act

The Colonial Secretary
to Mr. H. G.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

and write for the Magistrate,
Certificate for W Spence
accordingly.

I have the honour to be
Sir
Your most obedient
and humble servant,
Henry J. Pellow. Esq.
Attorney General.

Case
49

F60
24

50
1906
Ward

British Columbia

Attorney General,
Office. 4 Oct 1862

Sir

I have the honor to
request that previous
to the Government
sanctioning any payments
made for legal services
that the same
should have the
sanction of your past
through this department

I have the honor
to be Sir

Your Most Obedient
and humble servant

The Colonial Secretary Henry D. Keller
Attorney General

FILE 60 ATTORNEY GENERAL (B.C.) COLONIAL PABC
1862 AUGUST TO DECEMBER CORRESPONDENCE

Cross
51

F60
25

Pr. 10/10/82

British Columbia

Atty Gen's Office
13 October 1862

Sir,

In pursuance of your authority
and His Excellency's instructions
on leaving - I have completed
the necessary correction of the
clerical errors in the

"New Westminster Municipal
Extension Act No. 2" previous
to publication -
by the insertion of the words
"a majority of" before "the whole
of &c" in clause one and

The Colonial Secretary
to be done

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

made the same correction
in the copy delivered
by your Department for the
use of the Municipal
Council

I have the honor to be

Yr

most obedient
and humble servant

Henry D. Pelletier Secy.
Attorney General

F60
25a

N^o 121.

Attorney General's Office
14th October 1862.

Sir, I have the honor to suggest that not a minute should be lost in publishing the absolute and complete forfeiture of the road in tomorrow's paper, dating it 11th October 1862.

The other was dated 30th September.

I want to guard by every possible means in the absence of advice from the Governor of his intentions against our being made liable for prematurely taking over the road into our actual possession.

The sudden departure of one contractor and of the men and the imprisonment of the other of course are always in our favor.

Yours of advertisement to
C. Apperheimer

Notice is hereby given that the contract of the 15th August 1862 and endorsement between myself and you has been and is declared forfeited by you, for breach of the stipulations thereof, to the use of the Government dated

The Sheriff of the County of Vancouver
and the Works
I have the honor to be,
Your most obedient servant,
August 14th 1862
Attorney General

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

91.

Works.

1862.

John Valentinus East:-

Has published in the
notice of the forfeiture
to Govt by laws of 1841 of
property, in Attorney General.

Attorney General
14 Oct 1862.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

58

British Columbia

kind

Attorney General's Office
17 Oct. 1862.

Sir

I have the honor to inform
you that in reply to the verbal
questions addressed to me
today by your Excellency with
respect to the Tolls at Lillooet

1. There is no objection, with
Mr Wright's consent, to the
non payment of tolls on
animals actually engaged
in packing, and not
other purposes.

Yr
Obedt Servant
Governor Douglas
C. B.

Neither, with
like consent, is there
any objection to the
remission of the Tolls
on Hay for the use
of the pack animals
at Gillosett only, while
necessaries detained there
and waiting for cargo
and when loaded
or unloaded while
actually engaged in
the packing business
and no other.

I have the honor to be
In your Excellency's
Most obedient and
humble servant
Messrs. D. Fellow. Secy
Attorney General

Recd 23 Oct '62

File
262

N^o 123.

British Columbia

Algo. New Work
21 Oct 1862

Sir,

I have the honor to acknowledge the receipt of your communication of the 18th instant relative to the ~~transfer~~^{surrender} by Nesbitt and Oppekeimier of their interest in the ~~the~~ Alexandria Road.

2. Permit me to suggest as a precautionary measure that Capt. Grant or other Superintending Royal Engineer Officer should in all things deal with the late contractors,

The Chief Commissioner of
Lands & Works

upon the principle
that the Government
is in possession of the
Road solely by
virtue of the forfeiture
of the Road and
contract from breach
of contract and not
by any transmission of
interest through the
the contractors.

This to avoid
liability I have the honor
to be Sir
Yours most obedient
and humble servant
Henry P. Bell
Att. Genl.

101. Wesley Wesley
to the Wesley of Wesley
of Wesley Wesley
Attorney General
21 Wesley
Wesley & Wesley

(Wesley) Wesley Wesley
for the Wesley Wesley
Wesley

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Case
57

Recd. 50th

F60
27

No. 124.

By Law returned to
Municipal Council
with notice of
required alterations

Attorney General's Office
28 October 1862

I have the honor to acknow-
ledge the receipt of your letter
of the 20th instant enclosing
the New Westminster proposed
Loan By-Law and requesting
my report.

2. Return the proposed
By-law herewith and have
the honor to report thereon as
follows:

3. With the exception
of two points the draft by-law
is unobjectionable

4. One is that the
Signatures of the President of
the Council and the Town
Clerk should be verified by
the Colonial Secretary.

The Colonial Secretary.

5. With

to do

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

5 With the Government already in the market for loans, the signature of the Colonial Secretary, however capable of explanation, would naturally, and I conceive inevitably, be construed as lending the name and credit of the Government, in other words that of the General Public Interest, to a Municipal or local security.

6. It would submit be unwise for this Government who may ere long require for the benefit of the country generally, to go again into the market for a loan to do the slightest act which may in any way tend to the needless exercise of its credit.

7. Especially when the same object, the verification of signatures in a valid manner for

for the purposes of a foreign Court can be more readily obtained by other legal means on the spot.

8. The second point of objection is that the expected proceeds of the loan are to be made payable under clause 12 to the "City Treasurer" and by him paid over to the Bank.

9. At present there is no City Treasury or City Treasurer as far as I can learn. A subordinate Government official (as I understand) temporarily filling the post as "Acting Treasurer" of the Municipality.

10. Unless therefore the appointment of a City Treasurer is formally made by the Council before the Governor is called upon to confirm the by-law; an air of unreality

Irreality will be attached to
it, that may not only defeat
the intention of the framers but
render the Bylaw unworkable
the odium of which I need
hardly say would be shared
by the ^{party} ~~people~~ conferring the
Bylaw

11. The same observation
applies to the proposed insertion
of 'City Treasurer' as a person
authorized to repurchase debentures

12. Subject to these alterations
I approve of the draft.

I have the honor to be Sir

Your most obedient servant.

Henry P. Pelly, Esq.

Attorney General

Crease
54

Recd. 80.

F60
28

Proprietary letter
Replied to 21/10/62

British Columbia

No 125.

Attorney General

Office
28 Dec. 1862

Sir,

I beg to enclose an
application from Mr.
Leonard McFlure
for a license for 18
months ^{toward} of a Silver
lead near Snow Shoe
Mountain Cariboo
for the purpose of

The Colonial Secretary
British Columbia

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

forming a company
to work it ~~from~~ with
English Capital.

I have the honor to be
Sir

Your most obedient
and humble servant.

Aug. S. Pellyears
Atty General

Crease 54
Lead reported to
found to be silver, gold, &c.

New Westminster, October 29, 1862

Sir

In the absence of any public notification directing, one to apply to any particular department in reference to obtaining a license or lease to work a silver mine, I have the honor to make application to you, as Attorney-General of British Columbia, for a license to work a silver lead for ~~two~~ years and a half, preparatory to soliciting a lease of the said lead for twenty-one years. The reason of making an application for a ~~two~~ years license is the fact that I am proceeding to England with the view of obtaining the co-operation of capitalists to carry out the undertaking. Enclosed is a sketch of the locality which is on Snow Shoe Mountain, commencing 200 yards from Snow Shoe Peak and running in a South-easterly direction. My application is a thousand yards in the course just mentioned, commencing at the Peak, by two hundred yards wide.

As the difficulty, in the absence of really authentic maps is so great in describing correctly a locality of this description, I would feel it to be no more than just to allow me the privilege of altering the direction or boundary to any reasonable extent, should it not correspond exactly to the location of the lead.

I have the honor to be, Sir,

H. P. Crease, Esq., Attorney-General, B.C.

Leonard Willue

F60
252

No 125

Attorney General Office
30th October 1862.

Sir,

I have to acknowledge the receipt of your letter of the 28th instant concerning the bond and Specification of the Boston Bar to Lykon Waggan Road Contract of 3rd April 1862.

forwarded
30th Oct 1862
V.H.

2. The contract itself was not enclosed as by your letter evidently intended.

3. I have drawn and procured the execution of Mr. Sandvoigt to an agreement dated the 28th inst. anticipating the time for payment of the £3520 balance - and providing for future repairs (by draft of your department on Mr. Sandvoigt) during four months from 10th October 1862. This

The Chief Commissioner
r r

FILE 60 ATTORNEY GENERAL (B.C.) COLONIAL PABC
1862 AUGUST TO DECEMBER CORRESPONDENCE

in Mr Spence's as well as his own
name: And have also procured
Mr Sandvoigt's execution of a
bond in £3520. for due
completion of repairs and
payment of your drafts
on Mr Sandvoigt against the
necessary repairs.

I will thank you
to send me the contract to
attach to the new agreement
after-day as the repairs are
specified in that contract
and referred to by schedule
in ^{the} bond agreement of the 28th.

I have the honor to be, Sir,

Your most obedient servant,

Henry J. Pelly. *per*

Attorney General.

104. Worsh. 1862.
Boston Mass & Boston Road.
Receipts payment of balance
of Purchase (to 20) to Mr
Lambert. —
Attorney General
Filed: 20th Decr 1862.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

F60
286

105. Works. 1862.
Recd preparation of
Y. Bond's Act for Dutch
and Spence Contract
Att: Genl.
31 Oct '62

O. H. M. A.

Colonel Moody
A. R.
The Camp.

A. G. O. 31 Oct 62

J. Bond.

I have recd an official
order to prepare
draft of Dutch & Spence
Bond ^{act} immediate

Will you be
good enough to send
me by bearer
Dutch & Spence
Contract

In haste
James P. Bellenger

Colonel Moody
A. R.

9th Contract sent by Mr
Curtis Hastings (name
unknown) 31. Oct 18
supposedly. H.H.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

F60
28c
Algo. New
3 Nov 1862

* Still in possession of Mr. Denis Chapman

in
I have the honor to
acknowledge a ~~draft~~ due
* Bill of Messrs. Keibel
and Speckbeimer 19th
Sep. 1862 in favor of
the Bearer Denis Chapman
identified by Mr. Prosper Getty.
amount \$50.00
At Keibel's & Speckbeimer's
Attorney in fact I enclose
on other side a receipt
for the amount - and
request you will be pleased
to pay it. I have the honor

to be Sir
Yours most obed. Servant
Henry S. Pillsbury

Wm. Keibel
Comptroller & Cashier of
works

FILE 60 ATTORNEY GENERAL (B.C.) COLONIAL PABC
1862 AUGUST TO DECEMBER CORRESPONDENCE

106. Works - 1862.
App: Motorly Road
Towns due - Bill for
payment to Denis Chapman
#58.85

Att: General
3 Nov: 1862
New: same take

The instructions of the Council
concerning the report
submitted from communication
of the
3 Nov 1862

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Case
55

F60
29

02

British Columbia

Attorney General's Office
4 Nov 1862

No 127

Recd

Sir

I have the honor to
acknowledge the receipt of the
Circular of the 30th March's
requiring every Magistrate
and his Staff to abstain
from the practice of
speculating in mines &
other business while in
the Government employ.

I am the honor to be
Sir your most obedient
and humble servant
Henry J. Pellw. Esq.
Atty General

The Colonial
Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Chease
56

act. 2. 13"

F60
30

British Columbia

No 126

Sir,

Attorney General's Office
4 Nov. 1862

I have the honor to enclose
Draft "Chapman's Bar Road
Bonds act 1862" for approval
and execution.

L. W. Tuttle on behalf
of himself and partner Spence,
has assented in writing
to make the bonds
redeemable as in the Act
of which I enclose the
draft. - without affecting
the validity of the contract.

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

Thos. Douglas
Secretary

Wm. J. Pelly
Attorney General

108. Works. 1862.

Lytton - Alex. Road -
Accts pay on end of due bills
(of p. & m. bills)

Atty General
Newsp. 6 Nov. 1862

answ. 6 Nov. '62. -

answ. 6 Nov. '62

New Westminster

6 Nov. 1862.

Sir:

I notice application
from a person named
Julius Claudet for
\$23. for wagon
the Lytton Alex
Road has been
presented to me
with a due bill.
Will you inform
me whether the

The Chief Magistrate
Shaw & Wm. 1862

the £1200 sent
up some little time
back for the
purpose of meeting
these labor wages
has been so
expended.

^(if so)
and whether it
is proposed to
advance any
money to defray

these amounts that
I may have
a decided answer
for applicants
Yours obt servt
Henry P. Pelletier
A.G.

57
R. 13th Nov

F60
31

British Columbia

Attorney General's Office
9 Nov 1862

Sir

I have the honor to
acknowledge the receipt of
your dispatch of 6 inst
covering Municipal Loan
Law 1862 New Westminster
which I have transmitted
to the President of the
Municipal Council approved.

I have the honor to be
to your most obedient
and humble servant

Henry D. Pelley Esq
Attorney General

The Colonial Secretary

✓ ✓ ✓

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Crease
58

W. L. F. G.

Drafted to 3rd

N^o 130.

F60
32

British Columbia

Attorney General's Office
27 November 1862

Sir,

Commission perhaps too formal

LD

I have the honor to
transmit herewith the
draft of a Commission
for a Postal Enquiry of
which although brief I
trust His Excellency may
approve. Have the honor
to be Sir,

Your most obedient
and humble servant

Henry J. Pelletier
Attorney General

Cross
58.

15

Signature of Governor

Colony of British Columbia

Victoria by the Grace of God
of the United Kingdom of Great
Britain and Ireland and
of the Colonies and Dependencies
thereof in Europe Asia Africa
America and Australasia
Duke of Devonshire of the Straits
and so forth To all to whom
these presents shall come
Greeting

Know ye that We reposing
special confidence in the
integrity and ability of our
trustee and well beloved

have nominated and by these
presents do constitute and
appoint the said

to be our Commissioner and
agent a Commissioner under
the Great Seal of the Colony.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

diligently to require and
report unto us with as little
delay as may be touching
the state and prospects of
the postal service and
communications throughout
our said Colony and all
matters and things touching
service in anywise relating
thereto and granting to
our said Commissioners full
power and authority to
examine under oath and
compel attendance of all
persons whomsoever in the
Premises and also giving
and granting all and
singular the other powers
necessary to the full and
faithful execution of the
trust hereby in our said
Commissioners reposed

Intention whereof
We have caused these our Letters
to be made patent and the
Great Seal of our Colony of
British Columbia to be
hereunto affixed

Witness Our right
honesty and well beloved
James Douglas Companion
of our most honorable Order
of the Bath Our Governor and
Commander in Chief in and
over our Colony of British

Columbia and its Dependencies,
Vice Admiral of the said
to be at our Government
House in our Colony of
Vancouver Island this
day of
in the year of our Lord one
thousand eight hundred
and sixty two in the Twenty
sixth year of our Princes

By Command,

X Signature of Colonial Secretary

Case
No 139

No 139

Rd. Fisher

British Columbia

F60
33

Dear
Sir.

Attorney General, Office
10 December 1862

I have the honor to enclose
a letter from W. W. R. Lodge
an officer on half pay of the
Indian Army - requesting
legal protection for a Patent
he wishes to introduce into
the Colony.

Also a Copy of my
reply on the other side.

Should His Excellency
approve of it. a short Act
might be published giving
protection for one year upon
registration of the kind of
invention for which protection

The Colonial Secretary

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

is sought at the Office of the Registrar General. on payment of a small fee.

The Registrar might be authorized to grant a Certificate of Protection.

And make Rules with the Governor's Consent from time to time - regulating the Proceedings of the Patent Office. Fees. and similar details.

When the Certificate expires the Registrar might be empowered also with the Governor's, or Colonial Secretary's, written approval to issue a Patent in a certain form upon payment of proper fees. or a Patent could be issued in the ordinary manner.

Such Patent might give an exclusive right to the use of the invention - according to proper specifications (also the subject of registration) for a certain number of years say 7. 10 or 14

Something of this kind would I conceive answer all reasonable requirements in the matter of Patents for several years.

I have the honor to be
in your most obedient
and humble servant
Henry St John
Attorney General.

Recd. 10 Dec 62
and J. J. J. J.
Forwarded to Colonial

To The Attorney General
of British Columbia

Sir,
I have the honour to
request that you will have the
goodness to inform me, if any law
of Patents exists for the Colony
of British Columbia? or if,
as I have been informed, there
has not yet been any legislation
on this subject, it is in the in-
tentions of Government to introduce
such law, for the protection of
Inventors, or holders of Patents
in the Mother, or other, Countries?
I desire to obtain protection
- a Patent - for a machine
for the economising of labour
and Gold in Gold-washing

Thomas H. Hill
New Westminster
9th Dec^r 1862.

W. H. H.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

I believe will be of great Value
to Owners and to the Colony;
and I shall be unable to
bring it forward unless
legal protection is, or until
it shall have been,
afforded.

I am myself a British
Subject (an Officer on half-
pay of the Indian Army),
the inventor a Subject of the
Government of the United
States.

I have the honour to be
Sir

Your most obedient servant

W. Hodge

Copy.

No 134.

Attorney General's Office
10 Dec 1862.

Sir. I have the honor to acknowledge
the receipt of yours of yesterday's
date. and in reply to inform
you that there is at present no
Parent Law in the Colony.

I have forwarded your
letter to the Colonial Secretary
I have the honor to be

Sir.

Your obedt servt.

Henry P. Selkirk. Secy.

W. R. Lodge Esq.
Colonial Hotel
New West

60 Rd. 12th Dec

F60
34

British Columbia
No 132
13 December
Attorney General's Office
10 December 1862.

Sir.
In acknowledging your
dispatch no 390. of 4 December
I have the honor to inform you

that I have had an inter-
view with Mr. G. B. Wright
who called on the subject of
the Bonds mentioned in your
dispatch of the 4th instant.
He intimated that other
Bonds - namely say £15,000
worth for the completion of
the Lytton - Alexandria Road
& £10,000 worth at least
should the Government
purchase the half interest
in the part of the Lillooet

13th Dec 1862
7th Dec 1862
7th Dec 1862

The Colonial Secretary
to &c &c

FILE 60 ATTORNEY GENERAL (B.C.) COLONIAL PABC
1862 AUGUST TO DECEMBER CORRESPONDENCE

- Suez - Alexandria Road
above the Junction - may
be wanted - and perhaps
further amounts in
1863-4 for other works.

Should such be
at all likely to occur -
before carrying out the
instructions of your
dispatch above referred
to - I have the honor
to call the attention
of his Excellency to the
fact that each
consecutive act creating
an issue of Road Bonds
is practically ~~as~~ a
second third or fourth
or other mortgage of the General
Revenue to the public
Creditor -

Consequently there are good
grounds for fearing that
in case anything like the
large sums alluded to should
be required, they will
have to be borrowed
at a much greater
disadvantage than if
they were all included
in one single Act -
The Government in such
case need not issue
more than it requires
for the time being,
and the last Bond of
such issue will be
in as good a position
as far as priority of

claim on the Revenue
is concerned as the
first of such proposed
issue.

I beg to be favored
with instructions on
this point, at your
early convenience.

Meanwhile the
draft Act will be
prepared ready to go
down by the boat
which brings me your
reply to this.

I have the honor
to be Sir

Your most obedient
and humble servant
Henry P. Pelham Grease
Attorney General

Cross
61

RD 12th

F60
35

Pa 135

68

British Columbia.

Attorney General's Office

11 Dec. 1862

Sir.

I have the honor to acknowledge
your dispatch of 9th inst.
with an extract of Mr.
McKean's letter to His
Excellency requesting my
opinion.

It is impossible
to furnish it without
some details of the

The Colonial Secretary
to H. C.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

objects and tendency
of the scheme - which
I beg may be sent to
me at your early
convenience.

I have the honor to be
Sir

Your most obedient
and humble servant

August P. Pelletier (Crease)
Attorney General

Copy found in
Col Sec 7 with
Title deeds 18 Feb 7 1863

F60
35a

No 131

Attorney General's office
9th December 1862

Sir,

Herewith enclose four
title deeds, numbered respectively
125, 126, 127, & 128, for Lots 1, 2, 3,
& 4 Block I in the Town
of Douglas. The name of the
second partner is Bernard
Heinrich Tesch instead of
Edward Tesch, as it is written
in the deeds and he has
requested me to apply to
you to have the proper alterations
made. I have seen Mr Tesch,
baptismal certificate which
proves his statement to be
correct.

2. Receipts were also handed
to Mr Cary (when Attorney General)
by Mr Tesch for Lot 1 Block VIII
in the same Town - belonging
to

Heinrich

to the same partnership, which
have, Mr. Teck says, been both
Jan. satisfied, by reference
to the magistrates books,
that the lot in question has
been made paid for by Mr
Teck & the usual receipts
issued and I advise you
to execute a grant provided
that one has not already
been made.

3. I have caused Mr. Teck
to give a bond to Mr. Laggin
which is a sufficient protection
This bond is in Mr. Laggin's
possession.

I have the honor to be

Sir,

Your most obedient servant

Henry St John
Attorney General

80 Laws 1862
Recd's by attention of
James G. Carter, 116 No. 1
of 100 St. Bay St.
Attorney General B.C.
March 8 1862
504
Copy from 1. with Form 4,
together with title books,
1872/63.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

No 136

answ^d 15 Dec 62

F60
35b

B. Coleman

New Westminster
Attorney General's Office

Sir,

12 Dec 1862

In January last I wrote
for information respecting
the Roman Catholic Lots
sit^e ~~in~~ New Westminster without
receiving a reply.

I have the honor to
enclose the Title deeds granted
by the Governor of
Lots 29. Block 2 Suburban
Lots 4. 5. 12. 13 ^{Hope} Yale

R. C. Bishop Demers has
written and applied for the

The Chief Commissioner
Land and Works

Crown grants of the other
Thomas Catholic Lot
in New Westminster. for
what I have referred him
to your Department
Engaging that you will
forward them as soon
as completed.

I have the honor to be
his
your most obedient and
humble servant

Henry P. Pelly. Secy

75. 1862.
Receipt: Tell seeds for
1075 on D.G. Quarter
to the Hon. J. J. J. J.
Attorney General
P. J. J. J. J.
August 15th 1862.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Rec^d 31st Dec.

F60
35c

Copies of this correspondence to be forwarded without delay

Attorney General's Office
22nd December 1862

Sir,

I have the honor to enclose
herewith two orders of Court in
the matter of the Taxon Lotteries
Relief Act 1860. viz:

Order of 8th Dec 1862 declaring Thomas
York of Yale to be
entitled to half of
Lot 10 Block 17. viz
viz Lot 9. Block
17 viz 30ft. fronting
on Frontsheet and
120ft. back.

Order of 8th Dec
declaring Jacob
William Davis to be
entitled to the corner
half part of Lot 10
Block 17. Yale being
30ft fronting and
Frontsheet and
120ft. back.

Also a copy of Mr Walker's letter
therein - and request crown
grants may be made out of
the premises described in the Orders
and following the words of
The Chief Commissioner
n n.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

description therein contained but
without any map.

2. When executed by His
Excellency I would suggest that
the Grants should be forwarded
to Mr Saunders to ensure the
payment of the last instalment.

I have the honor to be
Sir
Your most obedient servant
Henry P. Melville
Attorney General.

Copy
with
enclosure

New Westminster
22nd Dec 1862

Dr. W. H. Green

Sir,

I have the honor to send
you herewith an order of court
made under the petition of
Thomas Yorks declaring him
intitled to a grant from the
Crown of the fee simple of
one half Lot 10 Block 17 at
Yale. Also an order of court
made under the petition of
Mr. Davis declaring him intitled
to a grant from the Crown of
the fee simple of the other
half of the same Lot

I should be much obliged
if you would get the title
deeds made out with as little
delay as possible & forward
the same to Mr. Sanders at
Yale to be given to the Petitioner
on their paying the instalment
of the purchase money due on
the

17th Dec 1862
In the matter of the
Lot Seven Being a
Town of Yale.
Lot 10, Block XVII,
Thomas Yorks &
William Davis
Attorney General B.C.
22 Dec 1862

lot, which the Assistant
Commissioner has hitherto
declined to accept
I have the honor
to remain
Your obed^t. Serv^t
"H. P. Walker"

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Copy from: to Col Sec?

Jan: 63

27/Jan 63

Rec^d: 31st Dec^r

F60
35d

No 137

Attorney General's Office
22nd December 1862

Sir,

I have the honor to acknowledge
your letter of the 17th instant
relative to opening a branch
high to the Burrard Inlet
Road.

2. In all cases of the
grant of suburban lands, it
will be advisable for the
Crown to reserve a right
to make and take ways
and waters (including
railroads and aqueducts)
across any suburban lands,
for any public purpose what-
soever, in any direction without
compensation - This will one
day be of great consequence
to the public

3. In the case
The Chief Commissioner. Subscribed
n n.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Submitted to me, I consider the
Crown has full power, through
the Chief Commissioner, to take
any public road through any
suburban lands - this by
Proclamation.

4. It is however competent
for it not to insist on this
right but, when practicable,
as in this case, to exchange
other Crown lands for the
portion it requires for road
purpose.

5. Mr George Serrin and
Mr William Holmes had better
send me their Crown Grants;
I will then endorse the dedication
of the portion you want, as a
road to the public, and make
out two deeds of exchange, or
rather two Crown grants of
the portion of Crown land
you intend to give in exchange.

6. The latter will require
His

His Excellency's signature. A
small sketch should I suggest
accompany each or as
accurate a verbal description
of the boundaries as your
department can furnish.

7. Messrs Holmes and
Serrin will ^{be} required to execute
two short deeds of grant
to the public of the land
carved off from their lots.

8. On receipt of these
deeds I will at once prepare
and forward the necessary
deeds through you for His
Excellency's signature.

I have the honor to be

Yours most obedient servant,
Wm. P. Mellis
Attorney General.

125. W. H. C. 1862.
depts the formation of a
branch road to Harvard
Abel Mas' the suburban
lots 15, 16, 17, 18, 19, 20
New Westminster.
Attorney General
22 Dec 1862

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Cause
62

F 60
36

69

Attorney General's Office
23rd December 1862

N° 139

Sir,

I have the honor to enclose
Mr. Walker's account for Counsel's
fees and witness expenses, in certain
cases, in which he has been
retained by the Crown as
prosecuting Counsel this year,
and to request that the
money may be paid to him
as soon as possible.

I have the honor to be, Sir,

Your obedient servant,
Augustus Pelham Pease
Attorney General

The Colonial Secretary.

n n.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

Case
63.

F60
37.

British Columbia.

No 140.

Attorney General, Office
New Westminster
23 Dec 1862.

Sir,

For the last three weeks
I have received numerous
applications from men who
have worked on the Ly Hon
Alexandria Road - without
receiving any pay from
Mess. Oppenheimer Red bull
and Lewis for remuneration
for their labor on that route.
They represent that
the value of their labor

The Colonial Secretary
Wm. G. G. G.

FILE 60 ATTORNEY GENERAL (B.C.)
1862 AUGUST TO DECEMBER

COLONIAL
CORRESPONDENCE

PABC

has been given to the
Government in the Road
to an amount far
in excess of the
Government advances

That they do not
consider the Government
liable to them in point
of law for labor pay
due to them by the late
Contractors (a point
which I have most
strongly confirmed)
but that as the
Government cannot be
desirous of making a
profit out of their

whole seasons labor, they
respectfully request that
as an act of grace and
equity under the circumstances,
His Excellency will be pleased
to take their case under
consideration and order that
the back labor pay up to
the time of the forfeiture of
the Road should to the
Government should be
paid to them out of the
public Treasury.

Capt Grant informs
me that the actual
value of the work handed
over to the Government is
£90,000, Eighteen thousand
pounds -
That the back

Labor pay amounts to not
more than (\$20,000) Four
thousand pounds - and
Government advances to
(\$12,600) Twelve thousand
six hundred pounds

Leaving, should
the laborers be paid
a Balance of (\$6,000)
Fourteen hundred pounds
as value received in Road
work, in favor of the Government.
Besides the Tolls.

If it should
please His Excellency
and the State of the
public Treasury permit
there would be no

difficulty in distributing
such sum as He might
sanction - among laborers,
packers and merchants

But it is especially
submitted that the
Labor pay in all public
works is generally
preferred before all
others -

Especially is this
the case where men
will be wanted for
the public works of
another year.

In case of any such payment the form of receipt would require some care to avoid creating a liability which does not exist at present.

But there is no legal difficulty in the way of such a payment and, if the funds permit, I have no hesitation in laying their case before His Excellency for

such favorable consideration and relief as he may be able to afford to a number of patient and as I am informed hard working men.

I may add that to avoid the inconvenience of ^{receiving} large deputations I have suggested they should place themselves and their case in the hands of a few persons who have their confidence. I have the honor to be
Sir
Your most obedient
and humble servant
Henry P. Pelletier
Attorney General