

Court House, Niagara,
22 Oct. 1838.

Gentlemen,

I herewith enclose a letter from Government House of 11th October instant founded on a petition of Benjamin Wait, late a state prisoner in confinement in this gaol, of which I take the liberty to request on your part a strict investigation. I enclose a report from Doctor Porter, gaol physician, on the subject.

I have the honour to be, Gentlemen,

Yr. obedient,

ALEXANDER HAMILTON,
Sheriff.

To the Grand Jury,
Oct. session, 1838.

Queenston, 27 Oct. 1838.

Honble. John Macaulay,

Sir,—Referring to my letter of the 16th instant, I herewith enclose a copy of a presentment of the Grand Jury of this date on the subject of Wait's petition to His Excellency the Lt. Governor of 6th Oct. instant, together with Doctors Porter and Rolls' statement with regard to his health while in confinement in the gaol of this district.

With respect to his moral character I will only say that after being thrown into gaol for his want of principle, he unhesitatingly took advantage, in total disregard of the rights of his creditors, of the ignorance of the gaoler in giving him his liberty in one suit when he perfectly knew that there were other claims against him in the sheriff's office to a very large amount, which but for his fortunate recapture in the insurrection at St. Johns, we should have had to pay for him. The Barefaced Robbery of the Overholts at St. Johns of upwards of Fifteen Hundred dollars by him and his confederates, which there is every reason to believe his wife is now squandering. Together with his and Beamer's conduct on board of the St. George on the way to Kingston, as reported by Mr. McLeod, stating to Captain Moody "that so far from being sorry for what they had done that they would join the Patriots again to-morrow if at liberty," shaking their chains and calling upon the passengers to see what they were suffering for liberty, together with the gross misrepresentations with respect to his treatment in gaol so completely disproved by the presentment of the grand jury, renders his petition to His Excellency for further clemency, in the opinion of the respectable part of the community here, one of the most barefaced pieces of impudence that can well be conceived, but which we trust will be the means of unmasking him to those in whose hands he now is for the well merited punishment of his crimes.

I have the honour, &c.,

ALEXANDER HAMILTON,
Sheriff.