

**New Brunswick**

**Despatches Received  
from the Secretary of State  
and other persons**

**Volume XIX  
1839**

1839

Lieutenant Governor  
Major General Sir John Harvey. K.C.H.

Secretary of State for the Colonies.....Lord Glenelg  
.....Lord John Russell.

Under Secretary.....

H.M. Minister at Washington.....Mr. H.S. Fox.  
Governor General of Canada.....Earl of Gosforth

.....Sir John Colborne  
Lieutenant Governor of Upper Canada.....Sir George Arthur  
Lieutenant Governor of Lower Canada.....Sir John Colborne  
Lieutenant Governor of Nova Scotia.....Sir Colin Campbell.

Mem:

Despatches & Letters from Mr. Fox, Sir John Colborne, Sir Colin Campbell, etc. form  
another volume for 1839. "Vol. XX".

**1839**

Index of Despatches received by Sir John Harvey from the Right Hon. The Secretary of State.

<b>Date</b>	<b>No.</b>	<b>Purport</b>	<b>Page.</b>
<b>1839</b> January 1st	131	Acknowledging my Despatch of the 17th. Oct. & 25th. Oct., 2nd & 17th. Nov. relative to the Disputed Territory.	
January 3rd.	132	Pointing out certain objections to the Act for incorporating the Miramichi Bank and directing me to communicate the substance of the Dispatch to the Provincial Legislature.	
January 12th. [Received by the March [ Mail, 'Linnet'] April 10th.	Circular Duplicate	Transmitting Copy of a New Warrant for the Regulation of Barracks /the Warrant not received, supposed to be enclosed in original packet- not arrived.	
January 15th.	133 Duplicate	Transmitting Letter from Mr. Lock [M.P.] containing enquiries respecting a Person named James Watson.	
January 18th.	134 Duplicate	Transmitting Copy of a Letter from the Treasury relative to the removal of the Custom House at Miramichi, to Chatham.	
January 24.	135 Duplicate	Thanking Mr. Colvin Hatheway for his Communication in respect to the Boundary Question.	

Date	No.	Purport	Page.
January 29th.	Circular	Transmitting Copy of a Work published by Mr. Montgomery Martin containing statistical accounts of the Colonies, and complaining of the very unsatisfactory manner in which the Blue Books of some of the Colonies are completed.	
January 30th.	136 Duplicate	Expressing Lord Glenelg's thanks to Chief Justice Chipman for 6 Copies of his Pamphlet on the Boundary Question.	
February 4th.	137 Duplicate	Transmitting Copy of a Communication from the Master General and Board of Ordnance assenting to the proposed exchange for Ordnance purposes in the Town of Fredericton.	
February 5th.	138 Duplicate	Expressing Lord Glenelg's regret at the loss of the services of Mr. Alexander Rankin in the Legislative Council.	
February 6th.	139 Duplicate	Transmitting an order of Council leaving certain acts passed by the Legislature of this Province to their operation - (order not received - supposed to be with the original in the February Packet).	
February 7th.	140 Duplicate	Acknowledging my Despatch of the 14th November relative to the passage of Troops by the overland Route to Canada, and expressing Lord Glenelg's satisfaction at the good feeling manifested by the State of Maine and his hope that it will be met on my part by corresponding cordiality.	
February 7th.	Circular	Transmitting Copy of the Earl of Durham's Report on the Affairs of British America, with Appendix "A".	
February 20	Circular	The Marquis of Normandy. Announcing his Appointment as Secretary of State for Colonial Affairs upon the resignation of Lord Glenelg.	
February 23rd	Circular	Transmitting a New Seal for the Province with a Warrant under the Royal Sign Manual authorizing me to make use of it and requiring me to return the old Seal for the purpose of being effaced.	
February 20th Marquis of Normandy	1	Transmitting a Letter from Mr. [Chekley] making enquiry after Property alleged to have been left in New Brunswick by Mr.s F. [Chekley]	

Date	No.	Purport	Page.
February 25th	2	With reference to Lord Glenelg's Despatch of the 18th. [Ult.] No. 134 and transmitting a further Communication from the Treasury on the subject of the position of the Custom House on the Miramichi River and requiring me to report the grounds of my objection to its removal to Chatham.	
March 1st.	3 J.W.?	In answer to my Despatch of the 18th. January stating that Mr. [F. M.] Weldon's Name as an Executive Counsellor was inserted in the Instructions of the Earl of Durham as Governor General.	
March 6th.	Circular	With reference to Lord Glenelg's Circular of the 7th. February, transmitting Appendix to Lord Durham's Report "B".	
March 5th.		Agent General of Crown Colonies. Transmitting Copy of his account Current with New Brunswick for the Year 1838. - To the Treasurer April 13. M.	
March 8th.	4	Transmitting an order in Council leaving certain Acts passed during the last Session to their operation.	
March 15th.	5	Acknowledging my Despatch of 19th. January marked confidential and its Enclosures viz. Extract of Governor [Fairfield's] Message to the Legislature of Maine. Copy of my Speech on opening the Session of that of this Province with Addresses in reply and expressing Her Majesty's approbation to the latter Documents.	
March 20th.	6	Transmitting for explanation further Statements from Mrs. K. Gordon.	
March 22nd.	7	Acknowledging my Dispatch of February 18th. - No. 8 and expressing unqualified approbation of my proceedings and measures up to that date and Her Majesty's high gratification at the additional proof of the Loyalty and devotion of Her Subjects in New Brunswick.	
April 4th.		Private. Approving of my conduct, etc.	

Date	No.	Purport	Page.
April 3rd. Received by the April Packet ["Tyrian"] 5th. May	8	Acknowledging the receipt of my Despatch of the 18th. Jany. - No. 6, transmitting Copy of my Speech on opening the Legislature Session and of the Addresses from the L. Council & House of Assembly in answer.	
April 4th.	9	Transmitting with reference to Lord [Nonnanby's] Despatch of the 22nd. March, Copy of a Letter from Viscount Palmerston conveying further instructions relative to the course to be adopted towards the State of Maine and requiring me as far as possible to conform to any recommendations on the subject from H.M. Minister at Washington.	
April 4th.	10	Transmitting Copy of a Letter from the Under Secretary of State for Foreign Affairs requiring information respecting the Boundary Line between New Brunswick and L. Canada from the Bay of Chaleur to the River St. John.	
April 4th.		Acknowledging my Despatches from the 10th. Jany. to the 26th. Feby. both days inclusive, numbers from 3 to 9 inclusive.	
April 16th.	11	In answer to my private Letter of 24th. Feby. to Lord Glenelg.	
April 18th.	12	Transmitting Copies of two Letters from the Under Secretary of State for Foreign Affairs requesting further information from Sir John Colborne and myself on points connected with the Settlement of the Boundary Question.  (Received [14th.] of May by General Messenger. [Mr. Osgoode] "Liverpool Steamer")	
April 20th.	Circular	With reference to Lord Glenelg's Circular of 20th. September 1837 conveying Instruction for making the arrangements for the conveyance of Military Convicts to England - on their way to the Penal Settlements.	

Date	No.	Purport	Page.
April 29th. Enclosure lost	Circular	With reference to Circular of 6th. March, transmitting further Appendix marked [6] to the Earl of Durham's Report on the Affairs of British North America Municipal Institutions. <i>cor 6?</i>	
May 2nd.	Private	Congratulating me upon the successful result of my Communications through General Scott.	
May 16th.	13	Communicating Her Majesty's entire approbation of all my Proceedings and the arrangement entered into with General Scott in relation to the Disputed Territory.	
May 17th.	14 <i>Mr. Backhouse?</i>	Transmitting a Communication from the Under Secretary of State for Foreign Affairs - [M. Backhouse] expressing the entire concurrence of Viscount Palmerston in the terms of the Preceeding Despatch No. 13 - addressed to me by the Marquis of Normandy.	
May 4	Circular	Transmitting Copies of Communications from the Treasury, the Admiralty, and the Post Office departments, relative to the arrangements for establishing Steam Communication between Great Britain and British North America, and requiring my opinion as to the most eligible route for the conveyance of the Mails between Halifax and Quebec.	
May 25	Circular	Transmitting Copies of two Treasury Minutes detailing the grounds on which the Lords [Council] of [H.M. Treasury] have adjusted the Claims made by the owners of their American [Ships] for compensation [Instances missed] by Officers acting ?? ?? [Mr. Name-]	<i>} Not clear written on margin</i>
May 20	15	Acknowledging the receipt of my confidential Despatch of the 31st. March transmitting a Memorial for Staff pay, etc, or commuted allowance in lieu thereof.	
May 24	16	Declining a compliance with Judge Carter's Application for his full Salary to be issued to him during his absence from the Province on leave.	

Date	No.	Purport	Page.
May 24	17	Requiring an explanation for the information of the Lords of the Treasury, of the Circumstances under which a lease was granted to Mr. Moses Purley of all Gold, Silver, & other Mines in the Parishes of Westfield & Lancaster.	
June 5	18	Relative to an application from Mr. E. Carey, State of Maine for leave to carry to Market, timber cut by him on the Disputed Territory.	
June 6	19	Acknowledging my Speech on closing the Legislative Session & the Joint Address to the Queen from the Legislative Council and House of Assembly, relative to the Boundary Question.	
June 6	Private	Acknowledging my Letter to Lord Glenelg of March 13th. - Marked Private and Confidential.	
June 6	Confidential	Transmitting Copy of a Communication from an Officer of the Coast Guard in Ireland, relative to a quantity of Pike [Heads], [Inspected] to have been Shipped on board the "Elizabeth Bentley", which Sailed from Newry to St. John. N.B. on the 21st. May, consigned to a person named William Carvill.	
June 6	20	Acknowledging my Dispatches of the 13th. & 30th. of March, Nos. 11 & 19 relative to the defence of the Province and enclosing a Memorandum from the Horse Guard on the Subject.	
June 7	21	Transmitting Copy of a Correspondence with the Treasury on the Subject of the Audit of the accounts of the Casual & Territorial Province in New Brunswick.	
June 14	22	Transmitting Copy of Correspondence with the New Brunswick Land Company, & requiring Explanation of the delay in Furnishing the Company with a complete Survey of their Land.	
June 15	23	Acknowledging Copy of a Letter from Sir G. [Arthur] with an Address from the Assembly of Upper Canada pledging co-operation with their Fellow Subjects of New Brunswick.	

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Date	No.	Purport	Page.
June 16	24	Acknowledging my Dispatch of the 3rd. May No. 30 relative to timber cut upon the Disputed Territory.	
June 17	25	Acknowledging my Dispatch 19th March with reports of the Assembly of N.B. relative to encroachments of American Fishermen, etc, etc.	
June 18	26	Acquainting me with reference to my Dispatch April 12 No. 23 - that the Commissioners of Customs are directed to defer any further proceedings relative to the removal of the Miramichi Custom House to the Town of Chatham.	
June 26	27	Acknowledging my Dispatch March 20 No. 16 - & enclosing a Comm. from the Treasury stating these are [notary] Funds which can be made applicable to the completion of the Road from Oak Bay to Woodstock.	
June 27	28	Transmitting a communication from the Treasury relative to the Grant of three Thousand pounds for the improvement of the road to Lower Canada as reported in my Dispatch March 31- No. 20.	
June 28	29	Relative to the Log Barrack constructed by [Sir I. Caldwell] at the Grand Falls for the use of H.M.'s Troops & conveying the thanks of [Mr. Cook to S.I.C.] for his liberal & Public Spirited conduct.	6.?
June 29	30	Relative to a Letter addressed to Dr. Jacob being Lost.	
July 2	31	With an Enclosure from the Horse Guards with reference to my Dispatch April 25 - marked [Separate]	
July 1	Circular	Calling for various returns for the information of the House of Commons.	
July 9	[Separate]	Relative to the appointment of Col. Mudge & Mr. [Featherstonhaugh] to survey the Disputed Territory ??? by the Lands of their Govt.	
July 10		Acknowledging receipt of my Dispatches 10th. June inclusive.	

Date	No.	Purport	Page.
July 8	Private	Enclosing List of Documents which did not accompany the Dispatches of which they professed to be enclosures calling for Duplicates of all Dispatches.	
July 8	Circular	[Defining] the Authority of Governors of Colonies relative to appointments of Custom's Officers.	
July 18	32	With Copy of a Letter from Sir [?. G.] Sterling enquiring after Lands in New Brunswick granted to his Grandfather in 1765.	
July 20	33	Relative to the payment of Fees & Stamp on my appointment of Lt. Governor of New Brunswick.	
July 21	34	In reply to my Dispatch of April 17 - Marked Separate conveying H.M. Lordships & Lord Palmerston's approval of my answer to the [Lieut. Nodsden].	
July 22	35	Transmitting Copy of Correspondence with the Treasury on the Subject of Remission of Export duty on Militia Clothing & equipments supplied by [Haytes & Howell].	
July 26	36	Transmitting orders in Council confirming Provincial Acts Nos. 1202, 1166, making perpetual the Civil List Bill & providing for the appointment of a Master of the Rolls - 1201 incorporating the Provincial Bank [still] under consideration.	
July 27	37	Acknowledging my Dispatch & enclosures relative to aboriginal Inhabitants & recommending them to Protection.	
July 30	38	Transmitting Copies of Memorial from Sir N. [P.] Fleetwood Soliciting a grant of Mines under his Land.	
July 31	39	With Enclosure from the Horse Guards in reply to my Dispatch of May 31st. Recommending [L. Col?? Maxwell & Booth etc.]	
August 8	40	With Enclosure from the Treasury stating that a further Shipment fo Military Clothing duty free has been sanctioned by their Lordships.	
August 8		Acknowledging my Dispatches from 10th. June to July 12 both inclusive.	

Date	No.	Purport	Page.
August 8	41	Acknowledging the receipt of my Despatch No. 51 transmitting - transmitting a memordm. from Capt. Power. Her M. Government has no intention of authorising the Copy of a Local Corps from New Brunswick at present.	
August 13	42	In reply to my Despatch of the 8th. July relative to the demand of Mr. Moore for 841 Dollars on account of Special Messengers for conveying Despatches from New York to Fredericton.	
August 18	Private	In answer to my Communication to Mr. Stephen relative to Judge Carters Salary during his absence.	
August 23	Private	Acknowledging my Confidential Communication of the 10 June, conveying a suggestion for the Settlement of the Boundary Question.	
August 31	43	Transmitting a proposition from the Directors of the N.B. Land Company relative to the completion of the payments due by them & directing me to bring it under the Consideration of the Prov. Legislature.	
August 31	Circular	Notifying the appointment of Mr. [Poulett] Thompsons to be Capt. General & Governor in Chief of British North America.	
Sept. 3	Circular	Lord John Russell notifying his appointment as Colonial Secretary of State & inviting cordial communication therein.	
Sept. 5	??	Directing the terms "Special" & not "Secret" to be employed for the future in relation to certain Military Services.	
Sept. 12	1	Acknowledging my Despatch No. 54 with enclosure from Sir John Colborne & assuring me that His Lordship duly appreciates my Services.	
Sept. 14	2	Transmitting Copy of a letter from Mr. Charles [Hare] with remarks upon the proposed canal between the Bay of Fundy & the Gulf of St. Lawrence.	
	3	Making enquiry concerning a man name William Morgan.	

Date	No.	Purport	Page.
Sept. 18	4	Acknowledging my Despatch No. 57 - Aug. 23 relative to the calamitous [Fire] at St. John. <i>Isle?</i>	
Sept. 22	5	Conveying Lord Palmerston's acknowledgements of the assistance, advice & attention given to Col. [Mudge] & Mr. [Featherstonhaugh], by myself, Mr. Chipman & Mr. Odell.	
Sept. 26	6	With reference to my correspondence with Her Majesty's Minister at Washington on the Subject connected with the North East Boundary & expressing the approbation of Her Majesty's Government of my proceedings.	
Oct. 16	7	Transmitting rules hereafter to be observed in regard to the tenure of certain Colonial Offices which are in future to be held during Her Majesty's pleasure only & not during Life or good behaviour etc.	
Oct. 16	8	Acknowledging Copy of my Speech on opening the occasional Session of the Legislature in September last.	
Oct. 17	9	Acknowledging my Communication Marked Separate of Sept. 16 - with enclosures relative to the Boundary Question.	
Oct. 18	10	Acknowledging my Despatch No. 64 Sept. 14th, transmitting the "Blue Book" for the year 1838.	
Oct. 19	11	Acknowledging my Despatch No. 67 Sept. 20th. with copy of my Speech on closing the occasional Session of the Legislature.	
Oct. 27	12	Informing me with reference to my Despatch No. 35 - May 10th - that the Lords of the Treasury will authorise the repayments of the expenses incurred by Sir John Caldwell in the erection of Barrack at the Great Falls.	
Oct. 28	13	Acknowledging a letter addressed direct to his Lordship by Mr [Nedderburn] contrary to the standing regulations & desiring me to call upon him for a copy of that report & transmit it with any observations which its contents may appear to require. <i>Wedderburn?</i>	

Date	No.	Purport	Page.
Oct. 30	14	Acknowledging my Despatch Marked Separate Aug. 26th. - inclosing copies of my [ <del>Several</del> ] protests to & expressing the future approbation of Her Majesty's Government of my taking Military Occupation of the Madawaska Territory in the event of inroads from Maine.	
Oct. 31	15	Acknowledging my Despatch No. [62] Sept. 11 - transmitting a Petition to the Queen from the Chamber of Commerce of St. John for the appointmt. of a duly qualified person to ascertain the most eligible line for a canal to connect the Bay of Fundy with the Gulf of St. Lawrence.	
Nov. 2	16	Acknowledging my Despatch No. 66 - Sept. 17th. relative to the payment of Fees ?? on my Commission as Lt. Governor.	
Nov. 11	17	Acknowl. My Despatch No. 61 of 4th. Sept. & Separate of 16th. - relative to the payment of the instalments due from the New Brunswick Land Company & expressing his concurrence in my [ <del>view</del> ] of the question.	
Nov. 15	18	Acknowl. The returned warrant appointing A. Rankin Esq. to a Seat in the Legislative Council & expressing His Lordship's regrets at the loss of Mr. Rankins services at that board.	
Nov. 20	19	Relative to the attack on the American [Post] on the Aroostook & entirely approving my conduct on this occasion.	
Nov. 21	20	Acknowl. My Communication to Mr. Stephens & transmitting four Copies of the Rules & Regulations for the Colonial Service.	
Nov. 26	21	Acknowl. My Dispatch No. 71 & acquainting me that the agent [ <del>Genl.</del> ] - of Crown Colonies has been directed to accept & pay the bills drawn by me for *4500 for the Province Services.	
Dec. 4	Private.	Transmitting copy of a Dispatch to Mr. [ <del>P.</del> ] Thomson respecting the re-occupation by H. M. Troops of the Madawaska Settlements [on] left bank of the St. John.	

Date	No.	Purport	Page.
Oct. 26	22	Relative to my application for the Staff pay & allowances of my Rank.	
Oct. 27	23	Ack. my Despatches of the 6th. & 20th. of November & entirely approving of my Measures for the Military Occupation of the Post on the Saint John.	
Oct. 31	24	With reference to my Despatch No. 73 - 17th Octr. & directing the dismissal of Capt. [McHenrie].	
Oct. 31	25	Acknowledging my Despatch No. 76 & approving of my proclamation & special Commission to Mr. [MacLauchlin] /Warder/ to <del>[preyent]</del> illegal trespasses on the Disputed Territory.	
	Circular	With three sets of Blue Books & instructions relating to them.	