

New Brunswick

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

**Volume XVII
1837**

1837

Lieutenant Governor
Major General Sir Archibald Campbell.
(Resignation accepted 31 March)

Major General Sir John Harvey.

Secretary of State for the Colonies.....Lord Glenelg
Governor General of Canada.....
Lieutenant Governor of Nova Scotia.....Sir Colin Campbell.
H.M. Minister at Washington.....M. Fox.

Index of Despatches received from the Secretary of State by
Major General Sir A. Campbell in the year 1837.

Date	No.	Purpose	
Jan 1	98	Transmitting to Sir A. Campbell a Judiciary Document to be delivered to [Mr. Lugrew] of St. Johns N.B. <i>Mr. Lugrew?</i>	
Jan 2	99	Desiring Sir A. Campbell to convey his thanks to Mr. Calvin L. Hatheway for some observations sent by him to His Lordship, respecting the Boundary Question.	
Jan 3	100	With reference to His Lordship's Circular Despatch of 11 Nov. last, enclosing copy of a Letter from the Secretary to the Master General & Board of Ordinance relative to certain Land at Fort [Neck] in N. Brunswick.	
Jan 4	101	Relative to the forms in which Patents should be made for the Grant of Lands. <i>73?</i>	
Jan 5	102	Containing observations on [13] Acts passed by the Legislative of New Brunswick in the month of March last.	
January 20	103	In reference to a Letter from John Gibson, desiring Sir A. Campbell to inform him that Free Grants of Land are no longer made, and that all Land must now be obtained by purchase.	
Jan 26	104	Acknowledging the receipt of Sir A Campbell's despatch No. 59 transmitting a copy of the Address with which he opened the Session of the General Assembly.	

(seems 8, similar to pg 5)

50, or 58?

Jan 31	105	Acknowledging Sir A Campbell's No [58] forwarding a petition from Mr. Stevens to work certain mines etc. : His Lordship desires Sir A. Campbell to lay Mr. Steven's Petition before the Executive Council and to make a full report to His Lordship of their opinions on the Subject.	
Feb 1	106	With reference to His Lordship's Despatch No. 102 of the 5th inst. transmitting an order from the King in Council, leaving certain Acts to their operation, & specially confirming the Acts Nos 1002 & 1003.	
Feb 2	107	Transmitting to Sir A. Campbell for his information the Copy of a Letter from Messrs Crane & Wilmot dated 10th July last etc	
Feb 2	-	Acknowledging the receipt of Sundry Despatches.	
Feb 18	108	Transmitting a Letter from William [Hilliard] respecting some property left by his brother Robert [Hilliard] who died in N. Brunswick in 1835. His Lordship desires information on this Subject.	
Feb 24th	Circular	Desiring Sir A. Campbell to issue a notice in the Province under his Govt. that after the first June next, Purchasers of Crown Lands will be required to pay down at the time of Sale, 10 per cent on the whole value of the Purchase & the remainder within 14 days from the day of Sale.	
Feb 28	Circular	Transmitting Copies of the Reports of the Commissioners appointed to enquire into Grievances in Lower Canada & other papers	
March 2	109	In reply to Sir A. Campbell's despatches of 25 Nov & 25 Dec relative to the Arrangements effected for surrendering to the House of Assembly of N. Brunswick, the Casual & Territorial Revenues, in return for a Civil List.	
March 2		Acknowledging the receipt of Despatches.	
March 2	Private	Assuring Sir A Campbell that His Lordship has no reason for calling Sir A's conditional resignation into effect.	

March 14th	110	Informing Sir A Campbell that on the 6th inst, the Directors of the N.B. and N.S. Land Company [put] into the hands of Mr. G. [Bailliee] the Sum of *7031.5, their 4th instalment. ✓	
March 31	111	Accepting Sir A. Campbell's Resignation [of] the Govt. of New Brunswick. ✓	
April 6		Enclosing under a flying Seal a despatch for Sir John Harvey, with reference to Sir A Campbell's despatches on the subject of the proceedings of the Legislature of New Brunswick in regard to the Civil List Bill.	
April 6		Acknowledging the receipt of sundry Despatches.	
March 28		Mr. Fox. U.S. Govt. protests against St. Andrews & Quebec Railways as traversing Disputed Territory.	

New Brunswick
Index of Despatches received from the Secretary of State, etc.
by M. Gen Sir John Harvey.

Date	No.	Purport	Page
1837 March 30th	1	The Right Honorable Lord Glenelg notifying my appointment to the Government of New Brunswick and directing me to proceed without delay to relieve Sir A. Campbell.	

April 6th	2	In reply to Sir A. Campbell's Despatch of 20th of January on the subject of the Legislature Proceedings in respect to the Civil List Bill, and directing me to call the Legislature together to give my assent to that Bill. - This Despatch was put under a flying Seal & perused by Sir A. Campbell and delivered to me by the Provincial Secretary.	
April 17	3	Directing the second Patent found in favor of Mr. G. J. Harrison to be cancelled at his request	44
April [18th] 16? changed to 8?	4	Acknowledges Sir A Campbell's Despatch of 12th February No. 9 on the Civil List Bill - already substantially answered by Lord Glenelg's Despatch to me No. 2, Dated April 6th.	
April 22	5	Reprobating and forbidding the practice of sending to England the Officers of the Government to make representations and explanations of the views of the Executive Government but directing me, under all the circumstances of Mr. [Streets cure] to pay him such reasonable Expenses as he may have incurred in consequence of the [Mission] confided to him by Sir A Campbell, out of the surplus arising from the Civil List, granted in exchange for the Casual and Territorial Revenues.	45
April 24th	6	In answer to Sir A Campbell's Despatch of 22nd Feby. No. 11 - enclosing a Petition from the New Brunswick Mining Company desiring me to act with caution and to consult the Law Officers of the Crown and the Executive Council and if necessary the Legislature as to how far the Crown Rights in Coals [etc] are considered as included in the Surrender of the Territorial Revenues, to the management of the Provincial Legislature and what is the best mode of making them productive in Revenue - by Sale or Lease.	57 ?
April 28th	7	Refusing a Grant of Land to John Frederick Mitchell.	58

- Streets Case?

April 29th	8	In reply to Sir A Campbell's Despatch of 15th March with enclosure from the Collector and Comptroller of Customs at St Johns - " it could not have been intended to surrender in the part of the Crown Duties imposed by the Imperial Parliament over which His Majesty has no control".	60
April 30th	9	In reference to Mr Wilmots application soliciting the appointment of King's Council. Lord Glenelg entertains a favorable impression of Mr W. And refers the application to me.	65
May 1st	10	In answer to Sir A Campbells Despatch of 10th March No. 13 - Lord Glenelg will take no steps in respect to the Establishment of an "Audits" "Officer", except in concert with the House of Assembly - when the question of Salaries comes before him, the Report of the Legislative Council will be borne in mind.	74
May 4th	11	In reference to Mr. Baillie's dispute with the House of Assembly and expressing an earnest hope that "my mediation "may be successfully employed in replacing "Mr B. In the more favorable judgements " of the Representatives of the People."	78
May 4th	12	In reply to Sir A Campbell's application for an Enquiry into the charges [preferred] against him by Messrs Crane and Wilmot in their report to the House of Assembly. Lord Glenelg does not see the necessity or the possibility of instituting such an Enquiry - and directs that if Sir A Campbell has left the Province this Dispatch may be placed among the Records of my Government.	92 108

Date	No.	Purport	Page
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May 12	13	Acknowledging Sir A Campbell's Despatch of 7th March last, transmitting Copy of Report - and Resolutions adopted by the House of Representatives of the State of Maine relative to the N.B. Boundary and referring me to His Lordships Instructions of 28th June last No 66.	109
May 13	14	With reference to His Lordship's Despatch of 4th January No 11 and repeating his directions that all information, Vouchers etc may be presented to the Assembly.	112
May 19th	15 <i>written as Capain?</i>	Relative to Sir A Campbell's recommendation of [Captain] Coffin as a Member of the Legislative Council, ??? Mr. Hazen deceased.	115
May 29th	16	Enclosing Copy of a Letter from Mr. Crane and a Statement of the Account [betwixt] [N. M.] Government and the New Brunswick Land Company <i>betwixt</i>	117 <i>H.M.?</i>
May 31st	17	With reference to former communications relative to Mr. Marcus Gunn.	124
June 8th	18	With enclosures from the Secretary of State for foreign affairs and H.M. Minister at Washington - relative to the Quebec and Saint Andrews Rail Road Association and prohibiting further Proceedings in the p??? of that Body <i>pu - ?</i>	126
June 8th	18	" <u>Separate</u> " With reference to No. 18 relative to the St. Andrews and Quebec Rail Road Association.	154
June 8th.	19	Conveying intelligence of a severe accident which has befallen Mr. Crane, one of the Members of the House of Assembly of this Province departed to England.	160
April 14th (Despatch Missing)		Circular. Relating to Military Discipline	
May 10th.		Relative to the Penalty proper to be imposed on Persons in the Colonies for purchasing Soldiers Necessaries.	400
Date	No.	Purport	Page

May 25th.		Circular. Pointing out the evils and inconveniences of Transportation, and desiring me in any case in which the sentence of Transportation has been pronounced to commute it for a reasonable length of imprisonment.	398
June 10th.		Circular. Informing me that the Master General and Board of the Ordnance Department have directed the respective officers in this Colony to supply such information as may be required to complete the Returns in the Annual Blue Book	397
June 12th.		Circular. Informing me that an application relative to the acquisition of Land in the Colonies has been addressed to H. M. Government by the Directors of the East India Company, and that it has been complied with.	395
June 21st. (Lost)		Announcing the Death of His Majesty William the fourth.	
June 23		Circular. Order for continuing use of seals of the Province - making necessary alterations in Prayer Book, etc., etc.	
June 29th.	20	Enclosing a Memorial respecting Mr. G. M. S. Seaward and requesting me to direct an enquiry to be made respecting him.	164
July 5th Enclosures Lost		Circular. Enclosing Copy of a Letter, relating to the State of Gaols and Prison Discipline in the Colonies; also Copy of the rules adopted by the Lt. Governor of the Bahamas and also enclosing [9] copies of the Gaol's returns to be substituted for those which are attached to the Blue Books- And directing me to return the original and duplicate Copies of Gaol's Returns for 1836 and to use my endeavours to give effect to the Suggestions of the Committee of Prison Discipline, etc.	384
July 6th.	21	Informing me that Mr. Crane has recovered from his accident and has resumed the transaction of Business at the Colonial Office.	174
July 6th.		Acknowledging the receipts of Sir A. Campbell's Despatches No. 17 of 22 April, 1837, No. 18a of 12 May and No. 18b of 17th May 1837.	131

July 14th.	22	Enclosing Copy of a Letter addressed to Mr. McMaster precluding any further progress of the St. Andrews and Quebec Rail Road and desiring me to communicate its substance to the Associations.	175
August 9th. (Enclosure Missing)	23	Transmitting Copy of a Letter from Mrs. Katharine Gordon, relative to some Land in N. Brunswick formerly owned by Lieut. Fitzsimmons, and requesting ??? to state whether there is any grounds for for Mrs. Gordon's claim to that Land.	185
August 12th.	24	Approving of my Proceedings in the case of Mr. E.S. Greeley and instructing me to employ H.M. Troops in preference to the Provincial Militia in case of necessity.	185
August 23	25	Acknowledging my Despatches of the 15th June & 16th July, Nos. 5 & 18, and 4th July, "Confidential", on the subjects of the arrest of E. Greeley & expressing his approbation of any conduct with regard to him etc.	189
August 24	26	In answer to my Despatch of 1st. July No. 7 transmitting an application from the Archdeacon for the Grant of certain Lands to the Society for the propagation of the Gospel and giving me directions with regard to it.	191
August (Circular)		Order in Council making alteration in the Royal Arms, etc.	
August 25th	27	Acknowledging the receipt of my Despatches Nos 9 and 14, enclosing Copies of the Speech with which I opened the Session of the Legislature of N. BrunsK. & of the Addresses, in Answers, presented to me by the L. Council & Assembly, with my replies. And informing me that he has communicated to the Lords Commissioners of the Admiralty the suggestions contained in my Despatch No. 9 with regard to the Detention of the Packets at Halifax.	195
Date	No.	Purport	Page

August 26th.	28	Acknowledging the receipt of my Dispatch No. 12 July 10, and approving of my having communicated His Lordship's on the subjects of Mr. Baillie's Accounts as Comm. of Crown Lands [etc] to the House of Assembly.	196
August 27th.	29	Approving the appointments of Neville Parker, W. B. Kinnear, E. [B.] Chandler & Samuel A Wilmot to the Office of Queen's Council within the Province of New Brunswick.	198
August 29th.	30	Reporting that the Royal Assent has been given to the "Civil List Bill".	200
August 31st.	31	Acknowledging the receipt of my Dispatch No. 19 and approving of the course pursued by me in declining to interfere on the subject of the suspension of Cash Payments in New Brunswick.	202
Sept. 7th.	32	Acknowledging the receipt of my Dispatch No. 6 of 29 June, enclosing the report of the Attorney General on four Acts of the Session of the Provincial Legislature for the Year 1836.	212
Sept. 21st. Rec'd. 7 Nov. via New York.	33	Acknowledging my Dispatch No. 23 & informing me that the Enclosed List of Candidates for seats in the Executive Council with letter ???ally submitted for H.M. Sanction.	220
Sept. 26th. Rec'd 7 Nov. via New York.	34	Acknowledging my Dispatches Nos. 32 & [39] & fully approving of all the measures which I had adopted by [Provincial Treasury] Executive Council - formation of Board of [Directors]	223
21st Sept. Rec'd 7 Nov.	35	Acknowledging receipts of the Report of a Committee of House of Assembly respecting the laws of [Civil] Officers, etc.	228
27 Sept. Received 7th Nov. via New York.	36	Acknowledging my Dispatch No. 27 relative to the Appointment of a [fit Person], as [President] of the Legislative Council in the [event] of the Death or absence of the Chief Justice.	263
28 Sept. Received 7th. Nov. via New York.	37	Acknowledging my Dispatch No. 43 relative to the Circumstances [under] which I have permitted Mr. [Street] to ??? from his seat in the Executive Council & notifying the ?????????? members of the Council	246

page not fully printed

29th Sept. Per Mail 7th Nov.	38 <i>under? →</i>	Enclosing Copy of Correspondence with the Treasury relative to the terms in which the lease to the N.B. Land Company of the [coal] mines ??? their Land should be drawn up.	253
29th Sept. Per Mail 7th Nov.	39	Acknowledging my Dispatch No. 21 and approving of the ??? ^{exclusive} Privilege granted to Mr. Stevens to make Minerological Exploration in the County of Gloucester.	263
29th Sept. Per Mail 7th Nov.	40	Acknowledging my Dispatch No. 25 with Copy of the Speech with which I closed the Session of the Legislature on the 22nd. July last.	265
29th. Sept. Pmail 7th Nov.	41 <i>assigning this? →</i>	Acknowledging my Dispatches Nos. 33 & 38 [apprizing] <u>His</u> Lordship of my having drawn Bills to the amount of *15,000 on the Lords of the Treasury which will be duly paid & informing me that the N.B. Land Company have not paid up the last three installments.	266
30 Sept. Pmail 7th. Nov.	42	Acknowledging the Address of the House of Assembly requesting Lord Glenelg to sit for his full length Portrait & [intonating] his speech in most gratifying terms. <i>assent?</i>	268
22nd Sept. Rec'd 7th Nov. via New York.	<i>the crown →</i>	Relative to the Article Published in the St. John Weekly Chronicle in the effect of the Demise of [his Honour] in respect to the Civil List Bill	205
October 14th. Received 11th. Dec.	43	Acknowledging the Receipt of Despatch No. 40 of the 16th. August concerning the Interests of the Inhabitants of the County of Gloucester, as regards the division of that County, and informing, that the Bill will be specially confirmed, as soon as the necessary forms of Office can be completed.	271
October 17th. Received 11th Dec.	44	Acknowledging the Receipt of Despatch No. 28 of the 31st. July, enclosing Copies of 3 Acts passed by the Legislature, connected with the transfer to the control of that Body, of the casual and territorial Revenue in exchange for a Civil List. And expressing the gratification of Her Majesty's Government at the conclusion of this protracted and important discussion	273

October 21st. Received 11th. Dec.	45	Relative to the Agreement as subsisting between Her Majesty's Government and the New Brunswick Land Company.	280
October 21st.	46	Upon the Same Subject	295
Oct. 31		Govnr. Prescott - on terms of appointmt. of Sergeant at Arms & Clerk of the Assembly.	307
October 29th. Received 7th. December.	47	Acknowledging the Receipt of Despatch No. 30 of the 2nd. Of August, reporting that Captn. Coffin is a fit person to be a Member of the Legislative Council, and that a warrant is made out accordingly authorizing his admission to that Council.	308
October 31st. Received 11th. December	48	Transmitting Her Majesty's Letters Patent under the Great Seal of the United Kingdom for increasing the numbers of the Executive Council of New Brunswick: and nominating the Members of that Council.	310
Circular (Duplicate) 7th. Sept. 1837		With reference to Rules and Regulations dated Downing St. March 30th. 1837 (and to correspondence now transmitted) authorizing me to make an addition to Chap. 13, [Section] 2, Part 8 providing for the charge of the removal of Military Convicts.	375
Circular Downing St. 13th Oct. 1837	9	Transmitting Copy of a Letter from the Trustees of the British Museum expressing a desire to receive Specimens of Natural History from the Colonies and enclosing several Copies of a code of Directions for the guidance of inexperienced Persons in the selection and preservation of such objects.	369
Circular Downing St. 21st. October received 11th. December 1837		Transmitting a Volume published by Authority containing Extracts from the 2nd. Report of the Inspections of Prisons and recommending its contents to attention.	366

November 10th received March 20th 1838	49	Acknowledging my Despatches Nos. 22, 31, 42, 44, 45, etc. upon the subject of the Disputed Territory and expressing H. Majesty's entire approbation of my Proceedings in the case of Mr. E. S. Greeley, and particularly of my Letter to the Governor of the State of Maine of the 10th. September 1837 etc.	
November 14th. Rec'd March 20th 1838	Marked confidential	Informing me of the appointment of Mr. [Donato] MacDonell to be Roman Catholic Bishop of Prince Edward Island.	340
November 15th. Rec'd March 20th. 1838	Marked private	Acknowledging receipt of a Letter from Mr. John Gibson of St. John relative to the tattered state of the Flag on the Tower Hill	367
December 15th Rec'd 20th March / 38	marked Private	Relative to application by the Honble Mr. Crane for a Portrait of His late Majesty William the 4th and observing that there are no Funds at disposal for the same	
November 15/37 Rec'd March 20th./38	50	Acknowledging receipt of my Despatches Nos. 48 & 49, relative to the menaced invasion of the British Territory - has referred Despatch No. 48 for the consideration of the Genl. Commanding in Chief with respect to stationing Detachment of Troops at Woodstock & Great Falls.	315
Novr. 27th. Rec'd 20th. March/38	51	In answer to an Address from the Mayor & Corporation of St. John of condolence and congratulation - and conveying Her Majesty's thanks, etc.	318
Novr. 29th. Rec'd March 20th.	No. 52	Acknowledging my Despatch of the 21st. Sept. 1837 relative to discontinuance of Mr. Street and Mr. Odell from Executive Council.	320
November 30th. Received 20th. March 1838	53	Enclosing Copies of Correspondence and the opinion of the General Commanding in Chief relative to detachments on the Frontier Posts	32
December 7th. Rec'd March 20th/38	54	Transmitting Orders in Council relative to various Acts passed by the Legislature of Prince Edward Island, forwarded to the Lt. Governor of that Island. (Transmitted to the Lt. Gov. of that ?????)	339

Mr
Donna
- to?

Island
↑
not clear

Dec. 20th. Rec'd 20th. March	55	Enclosing Copy of a Letter to Mr. Howe Post Master at Halifax, and ordering detention of Packets till the return Letters from New Brunswick, in answer to my Despatch.	341
Dec. 22nd. Rec'd. 20th. March.	56	In answer to my Despatch No. 55 of the 28th. Oct. 1837 relative to the proposed retirement of Judge Botsford - Her Majesty's authority granted for recommending the same to the House of Assembly	340
Nov. 20 Circular		Regulations for Military & Civil Correspondence	
Nov. 30		Identical instructions from Horse Guards.	

Date		Subject	
17th April		Warden of Disputed Territory - reports Lumber Trespasses therein.	
27th May.		Mr. Bouchette. Reports inspection of part of the Disputed Territoiy. From Right Honble. H. S. Fox. H.B.M. Minister at Washington.	
24 July		On Mr. Ebenezer [Greeley's] arrest - Suggests his release, etc. " <u>Confidential</u> "	
19th. Nov		Ack. receipt of Letter of 10th Inst.	
27th. Nov		On Mr. Greeley's [2] arrest. Sends copies of his correspondence with Lord Palmeston.	
27th. Nov.		Detains special Messenger for some days.	
30th. Nov.		Copy of a note delivered to Mr. Forsyth & his verbal assent to march of troops thro' the Disputed Territory to Canada.	

30th. Nov		<u>Confidential</u> . Has not thought it prudent to apply to President on above subject.	
4th. Dec.		Mr. Forsyth's reply on passage of Troops & Attitude of U.S. Govt. towards Canadian Insurgents, etc., etc.	
18th. Nov.		Sir J. Colborne on Insurrection in Canada - necessity of reinforcements. (Copy)	