

**New Brunswick**

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

**Volume XVIII  
1838**

1838

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

Secretary of State for the Colonies.....Lord Glenelg  
Under Secretaries.....Mr. Stephen

Governor General of Canada.....Lord Gosforth  
.....Earl of Durham  
.....Sir John Colborne

Lieutenant Governor of Nova Scotia.....Sir Colin Campbell.

Lieutenant Governor of P.E. Island.....Sir Charles Fitzroy

H.M. Minister at Washington.....Mr. Fox.

Attorney General.....Mr. Peters

Provincial Secretary.....Mr. Odell

Surveyor General.....

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

Date	No.	Purpose	Page
1838 2 January received	57	Transmitting a Letter from W. Gould, a Merchant of London, relative to the best mode of Marching Troops through New Brunswick & Nova Scotia.	1
January 4th. Received March 20th.	58	Acknowledging receipt of my Despatch, No. 65, relative to moving 43rd & 85th. Regiments to Canada, informing me of part of the 93rd. being sent direct to St. John in the [Inconstant].	2
January 4th Received March 20th.	59	Relative to detention of Packets at Halifax, for a Period sufficient, to admit of the return Mails, from Fredericton, & Prince Edward Island.	3
January 4th. Duplicate received. June 7th.	60	Communicating confirmation, by Her Majesty, of the Provincial Acts Nos. 1080, 1081, 1082.	4
January 6th. Received March 20th.	61	Acknowledging my Despatch of the 5th. December, No. 65, applying for Arms and Field [Pieces], and enclosing Copy of Correspondence, with the Board of Ordnance.	5
January 10th. Received March 20th.	62	Relative to Commissioner of Crown Lands, and in reply to a representation from him.	6
Jany. 17th.	63	In answer to my Despatch, of the 7th. December, 1837 - No. 67: and assigning to the Puisne Judges, coordinate work with Members of the Executive Council	7
February 4th.	64	Relative to the appointment of Mr. Weldon, as Executive Councillor, and signifying H. M. approval thereof.	8

February 5th.	65	Acknowledging my Despatch, of the 8th & 17th December, approving of my communication, with H.M. Minister at Washington, and answer relative to [raising] a Provincial Battalion.	9
February 7th.	66 <i>22nd?</i>	Acknowledging my Despatch, No. 61 of the [20th] November, in [vindication] of Mr. Street, from being the Author, of a certain Paragraph in the St. John Chronicle, expressing his satisfaction at the same.	10
February 8th.	67	Relative to the reduction of the Salary of the Surveyor General, and Commissioner of Crown Lands, [app???zing] of Deputy Surveyors being appointed by the Lt. Governor <i>→ appraising?</i>	11
February 10th.	68	Announcing the appointment of the Earl of Durham to be Governor General of all H. M. Provinces of British N. America.	12
February 16th.	69	Acknowledging Copy of my Speech on opening the Provincial Legislature on 29th. December and of the Addresses in reply <i>Gunn's?</i>	13
February 20th.	70	Relative to Mr. Marcus [Green's] claim for *5 alleged to have been improperly detained by the Crown Land Office.	14
February 22nd. (March 1st.)	71	Announcing Her Majesty's assent in Council to 60 Acts, passed during the Summer Session of 1837. (out of 72.)	15
March 1st.	72	Requiring explanation of the delay which has occurred in completing the Survey of the Lands of the N.B. Land Company.	16
March 3rd.	73	Declining to accept Mr. Odell's resignation of his Seat in the Executive Council.	17
March 5th.	74	Correspondence with the Board of Trade, upon the subject of repealing the duties now levied in New Brunswick, on Salted Provisions, and Wheat Flour.	18

March 14th.	75	Transmitting a Complaint from Mr. D. Turner, of Newcastle on Tyne, against the amount of a demand, by the Coroner of County Northumberland, N.B. for an inquest, held on Mr. Turners Son.	19
March 24th.	76	In answer to my Despatch, No. 63, of 24th. November last, by Mr. Rankin and enclosing Copy, of a Communication, from the Secretary of the Treasury, directing the suspension of the removal of the Custom Establishment, from NewCastle to Chatham until I can visit that Post.	21
March 27th.	77	A further Communication /with reference to No. 74/ upon the subject of the proposed repeal of the Duties on Salted Provisions and Wheat Flour with a message to the Chamber of Commerce St. John.	21
March 30th.	78	In answer to my Despatch No. 62 - 23rd. Nov. with Copy of a Letter from the Secretary of the Treasury intimating their Lordship's assent to the [erection] of the Port of Maquedavie into a free Port for general purposes under the Act 3rd & 4th. Nov.[4. Cap 59 and Section 2]	22
March 31st.	79	Conveying Lord Glenelg's acknowledgement of, and thanks for, the Copies of Mr. [Nedderburns] Statistical Essay on New Brunswick.	23
April 3rd. Circular		Transmitting for my information & guidance Copy of a Despatch addressed by Lord Glenelg to the Earl of Durham relative to the extent of the authority invested in him as Governor General, etc.	24
April 16th.	80	Transmitting a [Warrant] under the Sign Manual authorizing me to affix the Public Seal of the Province to Letters Patents granting a Lease for 10,000 years of certain Coal Mines in the New Brunswick Land Company.	25
April 25th	81	Requiring one to transmit a Report on the State of the Disputed Territory East of the Connecticut, & showing whether any part of that Territory has been settled by Persons from the United States or from the British Colonies.	26

April 26th	82 <i>Mary</i>	Requiring a Certificate of the existence of Mr. M???y Kelly supposed to be residing at St. John New Brunswick.	27
April 28th.	83	Acknowledging the receipt of my Despatch No. 9 with Copy of my Speech, on the close of the Session, and conveying the expression of Her Majesty's high approbation of the conduct of the Provincial Legislature.	28
May 1st.	84 <i>?</i>	Acknowledging any Communications by Mr. (Kendall) relative to the Survey of the Bay of Fundy.	29
May 2nd.	85	Acknowledging the Act empowering me to call 1200 Militia for service in British North America and expressing Her Majesty's highest satisfaction and grateful acceptance of this renewed Proof of the Loyalty of the Provincial Legislature ???	30
May 2nd.	86	Approving of the restoration upon my recommendation of the Hon. William Black to his place and rank in the Executive Council.	31
May 3rd.	87	Acknowledging my Despatch No. 7 - transmitting the joint Address of the Provincial Legislature on Her Majesty's accession to the Throne and conveying H.M. acknowledgements etc.	32
May 3rd.	88	Expressing Lord Glenelg's regret that circumstances should preclude Captain Coffin from accepting a Seat in the Executive Council.	33
April 17th. Circular.		Transmitting an Order of the Houses of Commons for a Return of the Religious Establishments of all denominations in this Province.	34
April 27th. Circular.		Relative to Title Deeds of Lands held as a Military Settler by Mr. Thomas William Howe of Halifax N.S.	35
May 1st.		Acknowledging my Despatches No. 4 to 15 inclusive and [six -] Private Ditto.	36

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May 7th.	89	of Approving of my recommendations and confirming the appointment by me of R. Power Esq. -[as] Chief Clerk or Deputy Commnd. in the Crown Land Office with a Salary of *300 Sterling per annum.	37
May 9th.	90	Transmitting Copy of a Letter from the Secretary of the Admiralty with an Enclosure from Lieut. [Kendall] R.N. relative to the [wish] incurred by Vessels navigating the Sea's surrounding New Brunswick and Nova Scotia from the difficulty of distinguishing Town ????? from Light Houses and suggesting that some distinguishing mark should be placed upon Light Houses.	38
May 17th.	91	Transmitting Copy of a Letter from Viscount Hawick, with an enclosed Copy of a Petition to the House of Commons, from certain Settlers, upon the Lands of the New Brunswick & Nova Scotia Land Company.	39
May 24th.	92	Acknowledging my Despatch No. 16 of the 30th. March, reporting that I had granted nine Months leave of absence to Mr. [Justice Easter] to visit Europe. <i>Justice Carter</i>	40
May 25th.	93	Acknowledging my Despatch No. 91 of the 17th. respecting the complaints of the Settlers on the New Brunswick Company Land at Stanley and enclosing Copy of a Letter from the Company on the Subject.	41
May 26th.	94	Acknowledging my Despatch 16th. March No. 13 enclosing Copy of an Act passed by the New Brunswick Legislature authorizing the appointment of a Master of the [Rolls etc.]	42
May 27th.	95	Acknowledging my Despatch 12th April No. 22 and approving of my suggestions for postponing any final decision respecting the Emoluments of Mr. Baillie and the Establishments of his Office until after he shall have had an opportunity of being heard before the Executive Council.	43
May 29th.	96	Conveying Her Majesty's allowance that the Provincial Acts Nos. 1114. 22.28.30.36 and 52 should be left to their operation.	44

May 30th.	97	Regretting that he cannot sanction the issue of the full Salary to <u>[Mr.]</u> Justice Easter. ?	45
June 4th	98	Relative to a Bill drawn by me in favor of Mr. William Crane for *500 and requesting fuller explanation as to the nature of the Service.	46
June 7th.	99	With reference to my Despatch No. 86 - transmitting a Mandamus under the Royal Sign Manual authorizing the appointment of Mr. W. Black to the Executive Council and his restoration to his precedence at that Board.	47

Date	No.	Purport	Page
May 18th. Circular		Transmitting Copy of a Work by Mr. <u>[H.]</u> Murray of Manchester on the natural history of the Silk Worm and its introduction into the British Colonies. <sup>J?</sup>	48
May [30th] Circular ✓		Transmitting a series of questions on the subject of finding employment in the Colonies for young Persons detected in the [Commission] of Crime in England. ✓	49
June 7th.		Acknowledging the receipt of my Despatches Nos. 16 to 29 inclusive and confidential Separate and Private of the 6th-10th, 14th. & 17th April and 7th May.	50
June 13th. Private		Lords of Treasury cannot sanction any grant for Extra Services connected with recent disturbances in Canada.	
15th. June	100	Acknowledging my Despatch No. 26 of the 25th. April and conveying his Lordship's decision upon a Representation submitted by me from the Attorney General of New Brunswick.	51



June 22	101	Acknowledging my Despatch of the 4th. April relative to Saddles and Bridles for the Volunteer Cavalry Troop lately formed in New Brunswick.	52
July 3rd.	102	Acknowledging my Despatch No. 17 of the 2nd April relative to the proposed increase of the Post Office Establishment in N. Brunswick and the expediency of more frequent intercourse betwixt England and British America.	53
July 3rd	103	Acknowledging my Despatch No. 21 of the 11th. April relative to proposed exchange of two Ordnance Lots of Ground in Fredericton for a price of Ground of greater extent	54
July 5th.	104	Conveying His Majesty's allowance of the following Acts of the Provincial Legislature <del>???</del> 1083-87-1142.45. <i>vi 2.</i>	55
June 13th. Separate		Acknowledging my private Despatch of the 14th. - [ <del>&amp;</del> ] 28th. February.	
Date	No.	Purport	Page
June 26th Circular		Transmitting several Copies of an order in Council for the Regulation of [Salutes] ?	56
July 7th.	105	Authorizing me to propose to the Provincial Legislature to grant out of any surplus of the Civil List, a Salary of *50 a year to each of the Members of the Committee of Council.	57
July 8th.	106	Acknowledging my Despatch of the 18th. May No. 33 transmitting the Blue Books for 1837.	58
July 14th	107	Desiring to receive for Lord Palmerston's information any suggestions which I may be enabled to offer as to the satisfactory adjustment of the Boundary Question.	59
July 12th. Circular		Calling for return for Civil Services to Military Medical Officers.	

*and ?*

July 26th.	108	With an order in Council leaving the [Prov:] Acts 1035.59.60, [061], for incorporating and increasing the Capital Stock of 4 Provincial Banks of N. Brunswick to their operation - with observations thereon and expressing the decided objection entertained by H. Majesty's Govt. to Provincial Banks issuing notes under the Value of *1.	60
	109	With reference to the preceeding and upon the Subject of the Commercial Banks application for permission to enlarge its investment in real Estate to the Extent of *16000.	61
August 2nd.		Acknowledging my Despatches Nos. 30 to 36 & 40 to 42 both inclusive and "Separate" of [3rd] May ?? And 7th June.	62
August 11th.	110	Acknowledging my Despatch <sup>41?</sup> ?? 19th. June and informing me that the Lords of the Treasury had given directions for the payment of the Bills for *8,000 therein advised.	63
August 15th	111	Transmitting renewed application from Mr. Marcus Gunn relative to the Sum of *5 alleged to have been illegally demanded from him by the Crown Land Department and directing me to inform him that all Communications of this nature must be made to the Lt. Governor of the Colony.	64
August 17th.	112	Pointing out an Amendment to be made in the Bills for incorporating the Banks of St. George and Fredericton.	65
August 20th.	113	Acknowledging my Despatches Nos. 23, 40, 42 & 43, relative to the Disputed Territory, and enclosing Draft of further instructions.	66
August 20th. Separate		Relative to the administration of the Government in case of my death or absence	67
August 21st.	114	Desiring me to inform the Archdeacon or the Paymaster of Civil Services that his Bills for his quarters Salary must be signed either by the Lieut. Governor of the Province or the Diocesan	68

August 22nd.	115	Requiring a Report upon the aboriginal Inhabitants shewing their members and present condition increase or decrease moral [state] etc - and inviting suggestions for ameliorating their condition.	69
August 24th.	116	Informing me Her Majesty's allowance of the Act 1092, regulating the exportation of Timber.	70
August 29th.	117	Apprizing me that no immediate Survey of the Bay of Fundy will take place but that Captn. Bayfield is instructed to include it in that which is now proceeding under his direction.	71
August 30th.	118	Requesting information respecting a Person named William Morgan - a Welshman supposed to be now residing at Fredericton.	72
August 31st. Confidential.		Transmitting Copy of a Communication from H. M.'s Consul at Portland relative to the projected erection by the Government of United States of certain Fortifications as Military Posts in the State of Maine.	73
August 30 Circular	Circular	Transmitting Warrants for the renewal under the Govt. Seal of the Province of certain Officers of the Government and also in a Tin Case a renewed Commission of Piracy.	74
August 30th.	Circular	Relative to informality in the mode of making certain Provincial Appointments.	75
Sept. 15th.	119	Relative to the Succession to the Govt. in case of my absence from the Province.	76
Sept. 14th.	120	Acknowledging my despatch from St. John & conveying the expression of H. M.'s Satisfaction etc.	76
Sept. 26th.	121	Relative to the removal of the Custom House at Miramichi.	78
Oct. 24th.	Circular	Relative to the proposed conveyance of H.M.'s Mails to Halifax by Steam Packets & suggesting the improvement of the Communication betwixt Halifax and Quebec.	79
October 10	122	Relative to the proposed Repeal of Duties on Salted Provisions in Wheat Flour.	80

November 10th.	123	Relative to the Services during the last Winter of Asst. to General Robinson.	81
November 17th.	124	Transmitting an order of Her Majesty in Council allowing the Marriage Act No. 1158.	82
November 30th.	125 <i>Gordon?</i>	Relative to a Memorial from Mrs Katharine [Lindon] transmitted in Augt. 1837.	83
November 30th.	Circular	Calling for Returns of the Number of Seamen and Marines sent to Colonial Hospitals between the years 1830 and 1836.	84
December 3rd.	126	Approving of the extension of the <del>[Legislative / Executive]</del> Council of New Brunswick from thirteen to nineteen Members as recommended by me.	85
[December] 10th.	127	Conveying H.M. approbation of the promptitude and energy with which the 65th. Regt. were forwarded to Canada/ by the route of Shediac/ also expressing H.M.'s entire confidence in the loyalty and gallantry of the Militia of New Brunswick.	86
[December] 22	128	Acknowledging my Despatches of the 11th. & 18th. Decr. , 1st., 9th., & 13th. Oct. relative to the Settlement of the Boundary Question.	87
December 22	Private	Same subject <i>wedderburns /wedderburn's ?</i>	
December 25th.	129	In answer to Mr. [Wedderberns] remonstrance against a reduction of his Salary and acclaiming a compliance with his application.	88
?? 28	Confidential	Relative to the Office of Master of the Rolls and directing me to bring the question as to the appointment of that Officer again under the consideration of the Legislature. /anticipated/	89
?? 31st.	130	Transmitting a mandamus for Mr. Judge Parker and directing the fees to be remitted.	90
[January 1st.] 1839	131	Acknowledging my Despatch of the 17th. Oct. & 25th. Oct. & 17th. Nov. relative to the Disputed Territory.	

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Jany. 3rd		Pointing out certain objections to the Act for incorporating the Miramichi Bank and directing me to communicate the substance of this Despatch to the Provincial Legislature. (Crossed out on original)	
Nov. 29th. 1838.	Circular	Transmitting Copy of Lt. Colonel Reeds Work entitled the Law of Storms with an accompanying Map.	91
Dec 1st./30th.	Circular	Lord Glenelg's correspondence with Lord Durham.	92
Dec. 14th./30th.	Circular	Notifying the appointment of Lt. General Sir John Colborne to be Governor of the Colonies of Upper & Lower Canada, Nova Scotia, New Brunswick & Prince Edward Island and Captn. General & Governor in Chief of British North America.	93
Dec. 25th.	Circular	Notifying the intention of H.M. Government. to transmit annually Copies of the Act passed by the Imperial Legislature for the use of H.M. Executive Council the Legislative Council House of Assembly Supreme Court of Justice & Court of Chancery of this Province and requiring arrangements to be made for their safe custody.	94
14th. October.		Circular - With letter requesting specimens of Minerals & Curiosities for British Museum	96
20th. November.		Circular - Regulations for conducting Civil & Military correspondence, when a Governor also commands the Troops.	100
8th. March		<u>Lord T. Somerset</u> . Expressing Lord Hill's approval of sending reinforcements to Canada.	104
30th. April		<u>Lord T. Somerset</u> Lord Hill will bear in mind his application for K.C.B.	106
30th. April		<u>Lord T. Somerset</u> . Lord Hill's thanks for his exertions in sending Troops to Canada.	108
29th. May		<u>Lord Howick</u> - Warrant authorizing the re enlistment of recruits in N.B.	109
28th. March		<u>Commr. of Customs</u> . requesting him to nominate a Collector's clerk at Miramichi.	110

3rd. April		<u>Mr. Baillie</u> - his account as Agent General for Crown Colonies.	111
28th. February		<u>Mr. Fox</u> - Thanks for his letters etc. - Remarks on present position of U.S. Govt. etc. (Private)	112
11th March		<u>Mr. Fox</u> : Sends copy of Neutrality Bill recently passed by Congress.	120
8th. November		<u>Mr. Fox</u> Confidential. Canada & our relations with U.S. Govt. Copy of his letter to Mr. Vail	122
10th January		<u>Sir C. Campbell</u> - Copy of resolution of N.S. House of Assembly about Fisheries.	141
20th February		<u>Sir C. Campbell</u> Ack: Despatch about a Survey of the Bay of Fundy.	142
24th. April		<u>Sir C. Campbell</u> Copy of Speech closing Session	144
24th. November to 29th. Decr.		<u>Sir C. Campbell</u> Sundry private letters on the State of affairs in Canada, & movement of Troops to reinforce Sir J. Colborne.	
February		<u>Sir Francis Head</u> - Copy of resolutions of both Houses of Upper Canada, thanking Lt. Govnr. & people of N.B. for offer of assistance.	
25th. Septer.		<u>Governor of Maine</u> - Has appointed Commr. to examine land lying North of Boundary line.	
25th September		<u>Sir John Caldwell</u> - Journal of his visit to Governor Kent.	
30th. September		<u>Attorney General Peters</u> . remarks on proceedings of the State of Maine.	
4th. November		<u>Sir John Caldwell</u> . Requesting reinforcements my be sent to Canada immediately.	
5th. November		M. General Macdonnell - the same	
20th October & 29th November		<u>Sir John Caldwell</u> - Affairs in Canada. Movement of Troops, etc. - Abstract of various Despatches & Information on [same]/subject.	