

**New Brunswick**

**Despatches Sent  
to the  
Secretary of State  
and other persons.**

**Volume VII  
1839**

**1839-1840**

Lieutenant Governor  
Major General Sir John Harvey

Secretary of State.

Under Secretary.

Governor General of Canada.

Lieut. Governor of Nova Scotia.

H.M. Minister at Washington.

Index of Despatches sent by Major General Sir John Harvey  
to the Right Hon. the Secretary of State.

1839

Date	No	Purport	Page
January 1st	1	Acknowledging the receipt of Despatches by the November Mail.	
Sir George Grey Bart. Under Sec. Colonial Office. January 2nd.		Transmitting 6 Copies of a Pamphlet completed under the superintendence of Chief Justice Chipman in support of the Line of Boundary as claimed by England.	
January 8	2	Acknowledging the receipt of despatches by the December mail.	
January 10	3	Relative to the claims of Mr. R. Gordon.	
January 15	4	Acknowledging Lord Glenelg dispatch No. 126 and reporting that I have caused two of the Gentlemen whose names have been submitted and approved as members of the Legislative Council immediately to take their seats at that Board.	
January 16.	5	Relative to the delay in the appointment of S.W. Weldon Esq. As Executive Councillor.	
January 18	6	Transmitting copy of the speech on opening the session of the Provincial Legislature on the 15th Ultimo and of the addresses in answer.	
January 19	7	Confidential transmitting an extract from the message with which Governor Fairsfield opened the session of the Legislature of the State of Maine on the 4th Ultimo and waging the Settlement of the Boundary Question.	
Sir George Grey January 22		Expressing the anxious desire of the House of Assembly to receive Lord Glenelg's Contract.	
Sir George Grey January 31		Transmitting copy of a resolution of the Assembly of this province placing the sum of £1000 in my hands to be committed to Canada for the relief of the Canadian militia and then Families who have been sufferers from the invasions of the Brigands from the United States.	

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February 18		Immediate and Political. Reporting at great length the invasion by an armed force from the State of Maine into the disputed territory. The apprehension of Mr. M. ??? their land agent the destitute state of the Province as suspect. H.M. troops, the calling our of 850 military, the advance of the 36th under Lt. Col. Maxwell to Woodstock, Trent Falls to the application to Sir John Colburne to recoup the Madawaska Settlement my demand upon the Governor of Maine to withdraw his troops.	
February 21st Confidential		Supplementary to the foregoing. Transmitting copy of the answer of the Governor of Maine with recent newspapers.	
February 24		Acknowledging Lord Glenelg's Private communication of the 22nd December and urging the immediate establishment of Steam Communication.	
February 24		Separate and confidential. In more full explanation of my Protests to the Governor of Maine under Date the 13th and 18th Ultimo.	
February 26		Immediate and Separate. Transmitting several late papers from the State of Maine and copy of my letter to Mr. Fox.	
February 24	9	Acknowledging despatches received by the January mail.	
March 7	10	Transmitting copy of a ???ted report made to me by the Warden of the Disputed Territory.	
March 10	11	Reporting my defensive arrangements and distribution of the Force in advance upon the Upper St. John , transmitting copy of a memorandum of agreement recommended to the adoption of the Governor of Maine and myself with the copy of my answer to Mr. Fox and the note which I addressed to Governor Fairfield a communicated by me to the Provincial Legislature.	
March 13		Private and Confidential. Transmitting copy of a private letter from Major General Scott U.S. Army and of my answer as also of my letter to major General Scott of the 15th of January.	
March 14	12	Transmitting copies of a Resolution and address by the House of Assembly relative to the salaries of the Surveyor and Auditor generals with my answer.	

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March 14	13	Transmitting Resolution and address of the House of Assembly requesting means may be adopted for procuring payment of the purchase money due by the New Brunswick and Nova Scotia Land Company.	
March 19	14	Transmitting copy of a report made to the House of Assembly relative to encroachments that continue to be made upon the Fishing Grounds of this Province.	
March 19	15	Transmitting Resolution of Legislative Council relative to duties on Salted Provisions	
March 20	16	Transmitting a petition from the members of the Counties of Charlotte and Carleton soliciting pecuniary aid from the Military Chest for completing a road from St. Andrews to Woodstock.	
March 23		Confidential. Transmitting copy of a Semi-Official Dispatch from Major General Scott with an official enclosure containing a proposition for a temporary amicable arrangement of the existing Border difference with the State of Maine to which I have assented and communicating the arrangements which I propose to make in consequence and suggesting an arrangement upon the principle of "????????????".	
March 23	17	Transmitting copy of my speech on closing the legislative session and copy of the Speaker's address, also a joint address of the Legislature upon the subject of the Settlement of the Boundary Question.	
March 25	18	Transmitting return of sick and hurt seamen of the merchant service admitted into Hospital at St. John from the years 1830 tp 1838 both inclusive.	
March 27		Separate and Confidential from Woodstock. Transmitting a Semi-Official Letter from Genl.Scott and expressing my high sense of his services.	
March 27		Immediate. Transmitting copy of an official communication from Major General Scott with Governor Fairfields assent to the proposed agreement and congratulating Her Majesty's Government on this favourable termination of our border difficulties.	

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March 30	19	Military Defence. My suggestions and opinion as to the measures proper to be adopted for the defence of this province in the event of national war and illustrating by reference to facts the delay attending our official intercourse with England.	
March 31	20	Informing her Majesty's Government that the General Assembly of this Province have placed the sum of £3000 at my disposal to be applied to the improvement of our communication with Canada by the [Temisquate] Lake.	
April 4	21	Immediate. Transmitting copy of a letter addressed to me by Mr. E. Carney relative to timber cut by him and others upon Township claimed by the State of Maine but lying within the Disputed Territory with my answer and copy of my letter to Mr. Fox upon the subject and soliciting instructions.	
April 10		Private. Relative to the impression produced by the Speeches of the Duke of Wellington and Sir R. Peel upon the ????? of this Province and urging the early adoption of the measures recommended in my despatch no.19 for the defence of this Province in case of War.	
April 10	22	Acknowledging receipt of Despatches by the March Mail that of February not having received.	
April 12	23	Acknowledging His Lordships Despatch No.2 of the 25th February and of Lord Glenelg's Duplicate Despatch of 18th January No.134 and stating my reason for having placed the Miramichi Custom House on its present site.	
April 12		Separate and Confidential. With reference to the above.	
April 16	24	Transmitting copy of an address from the House of Assembly of Upper Canada.	
April 19	25	Transmitting the old seal of the Province for the purpose of being defacets[sp].	
April 23		Private. Sends copy of correspondence with General Scott and private documents.	
April 20	26	Acknowledging his Lordship's Despatches received by the Great Western .	

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April 25		Separate with reference to No.19 Military defence of this province.	
April 26	27	Transmitting two acts with suspending clause together observations by H.M. Attorney General of this Province.	
April 26	28	Relative to the case of James [Mation].	
May 3	29	Relative to the case of Mrs. Catherine Gordon.	
May 3	30	Relative to the disposal of the Timber cut upon the Disputed Territory.	
May 6	31	Acknowledging His Lordship's Despatches received by the April Packet.	
May 6	32	Acknowledging His Lordships Despatch No.9 of the 4th April with copy of a letter from Viscount Palmerton and stating the satisfaction I feel for having anticipated the wishes of Her Majesty's Government.	
May 6	33	Acknowledging His Lordship's Despatch No.10 of the 4th March with an enclosure from W. Backhouse relative to the Boundary of this province towards Lower Canada and transmitting a Letter from the Surveyor general of this Province relative to the same.	
May 7	34	With reference to my Despatch No.13 of the 14th March relative to the balance due by the New Brunswick and Nova Scotia Land Company--to this province.	
April 17		Separate. With reference to a most disgraceful act committed by a party of the Militia of the State of Maine.	
May 10	35	Recommending that Sir John Coldwell be remunerated for the Barrack he built for the accommodation of Her Majesty's troops at the Great Falls.	
May 6		Private. Acknowledging and expressing my sense of the gratifying contents of his note of the 4th M.	
May 12	36	Acknowledging the receipt by a special messenger from New York of his Lordships Despatches No.s8,9 and 10 of the 3rd and 4th ultimo copy of the answer herewith transmitted.	

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May 13	37	Acknowledging His Lordships Despatches No 11 & 12 of the 16th-18th Ultimo, by a special messenger from New York.	
May 14	38	Transmitting copies of the Reports made to me by the Gentlemen who have charged themselves as commissioner with the care of the Aboriginal Inhabitants of this Province.	
May 15	39	Replying fully to the several points connected with the Boundary Bulletin upon which Lord Palmerston has expressed a wish to receive further information from me.	
May 15	40	Acknowledging the receipt of His Lordship's Despatch No. 11 in answer to a Letter addressed by me to Lord Glenelg marked "private".	
May 15		Separate with reference to No 39. In reply to the concluding paragraph of Mr. Backhouses letter transmitted in His Lordship's despatch no. 12 with reference to the navigation of the River St. John.	
May 20	41	Enclosing copies of a memorandum by the Hon W. O'Dell and of a letter from the Secretary of Lower Canada with reference to Mr. F. Checkley.	
May 26		Acknowledging and thanking His Lordship's for his note of the 2nd Inst. Marked private.	
May 30	42	Legislative. Immediate. Transmitting an act in amendment of a Act providing for the appointment of the master of the rolls in the Court of Chancery of this province and requesting that the significance of the Royal Allowance should be made to me with as little delay as may consist with His Lordships convenience and the observance of the necessary forms.	
June 3		Transmitting the copy of a communication from Genl. Scott with reference to the concluding part of my letter of the 26th [Ultimo].	
June 9	43	Acknowledging and thanking His Lordship for his Despatches No. 13 & 14 of the 16th and 19th Ult. And requesting him to lay at the feet of the Queen the homage of my dutiful and grateful acknowledgement of Her Majesty's gracious notice of my humble but zealous services.	



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June 10		Private and Confidential. Containing further suggestions with regard to the settlement of the Boundary Question.	
June 11	44	Requesting with reference to His Lordship's despatch of March 1st, No3 that a ?????? may be issued to me for the appointment of J.N. Weldon Esq. to the Executive Council of this Province.	
May 31	?	Transmitting copy of my letter to Lord Fitzroy respecting Captain Tryon referring to the services of Lt. Cols Maxwell and Brothe and Asst Commissary General W.H. Robinson Esq.	
June 22	45	With reference to my Despatch of the 7th Ultimo o.34 respecting the payment of the ballance[sp] owing to the Province by the Nova Scotia and New Brunswick Land Co.	
June 29	46	With reference to my Despatch of 14 March last No. 10 relative to W. Baillies salary and suggesting a retired allowance to that officer.	
July 1	47	Acknowledging the receipt of His Lordships Despatch of the 4th may marked "circular" and giving my opinion as to the best Line for conveying the mail between Halifax and Quebec.	
July 5	48	Informing His Lordship of Mr. Baillies having demanded His full salary and withdrawn his proposition to retire and requesting that his Lordships answer to Despatch No 46 of 29 Ult may be deferred with further communication.	
July 8	49	Acknowledging the receipt of the following despatches viz original 20 & 21 Duplicates from 13 to 19 both inclusive, Circular 4th May Confidential 6 June & Private 6 June--and informing His Lordship of Mr. Moore's having sent his bill for five special messengers form New York.	
July 9	50	Transmitting in reply to Despatch No 17 a memorandum concerning a Lease of mines granted Moses Perley.	
July 10	51	Transmitting a Plan submitted by Capt. Power for the formation of a Provincial Corps for New Bk.	
July 12		To Mr. Stephen. Private. Relative to Judge Carter's salary.	

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July 15	52	Transmitting a memorandum with reference to Lord Normandy Despatch No 20 relative to the defence of the Province.	
July 20	53	Relative to the future salary or retired allowance of Mr. Baillie.	
July 20		Separate and Confidential. On the same subject.	
July 20		Postscript. Intimating Mr. Baillie's intention to proceed to England and requesting the decision upon his case to be deferred until after his arrival.	
July 31		Introductory. Presenting Mr. Baillie to the Ma[????] of Normandy for the purpose of urging his claims to consideration.	
August 3	54	With reference to No 52 transmitting and inviting attention to Sir John Colborne's answer to my letter of the 10th Ultimo.	
August 9	55	Transmitting further consideration of the commission of N [McCuchon]'s observations by the treasury of this Province upon the proferred regulations in the country trade between Nova Scotia and New Brunswick.	
August 13		Separate and Confidential. Acknowledging Lord Normandy's Despatch of 5th Ultimo by the hands of Col. Mud?? And Mr. ?????? ??????????.	
August 15		Acknowledging Duplicate Despatches to 2nd July pic. British Queen	
August 21		Acknowledging originals of ????????? by the ????????? Packet	
August 22	56	Informing his Lordship that Mr. Baillie again declines proceeding to England and requesting that I may receive His Lordship's decision upon his case.	
August 23	57	Reporting the occurence of another Calamitous Fire at St. John and that I have been applied to convene the legislature in consequence.	
August 23	58	Transmitting copies of the answers of the Gov of the State of Maine to my note relative to the commissioners exploration.	

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August 19		Private. Acknowledging his Lordships letter marked "private" relative to certain Enclosures not having been received and to the transmission of Duplicates of all my Despatches.	
August 25		Separate and Political. Transmitting copies of all the "Protests" which have been addressed by me to H.M. Minister ?????????????????????? the authorities of Maine from the commencement of the late ???????? down to the present moment.	
August 25	59	Transmitting printed copy of my proclamation convening the Provincial Legislature ???????? ?????????? ?????????? for the Despatch of ??????????.	
August 28	60	In reply to Lord Normandy's Despatch no 28 and its enclosure from the Treasury relative to the grant and expenditure of the sum of £3000 for the improvement of the Time of Communications with Lower Canada by the St. John ??? ??????????	
Sept 4	61	In reply to the Despatch No.22 of the 16th June relative to the plea upon which payment is withheld by the NS and NB Land Company of the balance due to them.	
Sept 11	62	Transmitting a petition from the chamber of commerce of St. John to the Queen with copy of my Despatch to Lord Durham July 19/38 relative to the Time of the proposed canal between the Bay of Fundy and Gulf of St. Lawrence.	
Sept 12	63	Transmitting copy of my speech upon opening the occasional Session of the Legislature with addresses in answer to my replies.	
Sept 14	64	Transmitting the "Blue Book" for the year 1838 with the accompanying "Gaol Return" and my general observations.	
Sept 16	63	Transmitting & recommending to a favourable consideration a petition from Sir. J. Caldwell praying for an extension for the term of his license of occupation at the Great Falls.	
Sept 16		Separate. Transmitting lines of communication relating to the state of affairs upon the frontiers of this Province and Maine and including the most recent reports from the commissioners of Exploration.	

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Sept 16		Separate and Confidential. Copy of and address from the assembly praying that the Attorney General may be instructed to institute such legal proceedings as may be necessary for securing the Rights of the Crown with reference to its claim upon the Nova Scotia & NB Land Company due by it with ???????????	
Sept 17		Acknowledging Despatches received by August Packet.	
Sept 17	66	In reply to No.33 relative to Stamp Fees in commission of Lt. Governor.	
Sept 19		Separate. In reply to Lord Normandy Despatch 31st July/39 relative to certain officers recommended by me for marks of favour and distinction.	
Sept 20	67	Transmitting copy of my speech upon closing the occasional session of the Legislature , purport of Bills [apinted?] to----	
Sept 21		Separate. Informing His Lordship that I have this day remitted form the contingent fund the amount of Mr. Moore's account for special messengers.	
Sept 23	68	Returning the warrant appointing A.Rankin Esq. to the Legislative Council with an explanatory letter from that gentleman and adding that the Fees on the appointment of Mssrs. Street, Robertson, Wyer, Hutch and Kinnear have been paid and will be remitted by the Provincial Secretary to Mr. Wilder.	
Sept 30	69	With reference to Lord Normandy's Despatch of July 18 informing him that the grant of Land in this Province originally granted to Sir W. Sterling in 1765 has become revisited in the Crown in consequence of a non-compliance on his part with regulations requiring the Grant to be registered.	
Sept 30		Separate. With reference to Lord Normandy's Despatch of 20th May last requesting to be recommended for staff pat and enclosing copy of memorial addressed to Lord Glenelg in March last.	
Oct 4		Requesting the under Secretary to supply for the use of the Judges a few copies of Rules and Regulations dated Colonial Department 30th March, 1835.	

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Sept 30	70	Transmitting observations of Her Majesty Attorney General upon the five acts proposed during the late session and explanations--also requesting His Lordship to obtain the Royal allowance for reasons shown in speaker's address enclosed.	
Oct 5	71	Advising His Lordship of having drawn bills on the Treasury amounting to £4500 in compliance with Provincial Treasurer's suggestions enclosed.	
Oct 7		Separate. With reference to Despatch separate of September 16 that no [material sensation] has been produced by the affair therein reported.	
Oct 10	72	Informing Her Majesty's government of the state of the Civil List Fund of this province and enclosing correspondence on the same subject.	
Oct 12		Private and confidential. Communication to Lord John Russell the substance of Mr. Featherston[?]'s letter to me of 30th Ultimo.	
Oct 17		Acknowledging Despatches by September mail.	
Oct 17	73	With reference to comments of 16th Ultimo--enclosing copy of a letter from the militia officer Capt. McKenzie to the Attorney General and also a copy of reprimand to the L[?] Officer.	
Oct 21	74	Legislative. Transmitting copies in manuscript of 55 acts proposed during the two Sessions of the Assembly, with the observations of the Attorney General therein.	
Oct 22	75	Judicial. Transmitting copy of indictment & of the Judges roles on the trial of four men for a murder in the Kings County nmd reporting the acquittal of one, the respite of another and the execution of the remaining two.	
Oct 23	76	Political. Transmitting copy of a report from the warden of the Disputed Territory with that of a Proclamation issued in consequence thereof.	
Oct 30	77	Transmitting the Financial returns for the year 1838.	

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Nov 6		Conf. Transmitting copies of recent communications to the Governor in Chief & Her Majesty's Minister at Washington.	
Nov 7	78	With reference to Despatch No.35 concerning terms laid out for Branches on the Line of Communication from here to Canada.	
Nov 12		Separate. With reference to Despatch No.75 enclosing a petition from Patrick Henley.	
Nov 12	79	Transmitting petition to the Queen from the Common Council of St. John.	
Nov 20		Acknowledging Despatches received by the October mail.	
Nov 20	80	Transmitting copies of late communications from Mr. Fox and to the Governor in Chief relating to the Disputed territory.	
Nov 25		Private and Confidential. BY G.W. Featherston[????] & requesting His Lordship to admit him to an early interview.	
Nov 26	81	Submitting a letter from G.F. Street Esq. Solicitor eneral relative to the amount of fees upon taking a seat in the Legislative Assembly.	
Nov 27	82	With reference to Lord Normandy's despatch No. 43 & acquainting His Lordship of havng signed a Bill upon Her Majesty's Treasury to pay an account for Militia clothing--	
Dec 2	83	With reference to Lord Russell's Despatch of September 17th No 3 relative to the existence of Wm. Morgan.	
Dec 10	84	Transmitting an address from the Mayor, alderman and commonalty of the City of St. John referring to Despatch Nov 12, No.79.	
Dec 15	85	Political and Military. With reference to my Despatch No.80 of the 20th Ult. transmitting copies of correspondence with Sir Colin Campbell.	
Dec 16		Acknowledging Despatches received by the Nov. mail.	
Dec 16		Private. With reference to Lt. Col. Maxwell.	

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Dec 24	86	With reference to my Despatch of 15th No85 enclosing copies of recent correspondences with the Gov. of Maine.	
Dec 24	87	Enclosing Printed Copy of my Circular Mrmdum. to the Heads of the Civil Department with Despatch No.7.	
Dec 30	88	Confidential. Soliciting His Lordship's aid in procuring a separate Bishop for this Province.	
Dec 31		Separate. With reference to No.88 enclosing copy of a petition.	
		<b>To the Right Honourable H.L. Fox</b>	
Feb 21		Sends copy of Depositions in case of Hon. R. McIntyre, agent of State of Maine.	
Feb 21		Sends copy of letter from Governor Fairfield.	
March 6		Will do no more than keep open the communication with Canada.	
March 7		Confidential--Same subject.	
May 8		Decision made about timber cut on Disputed Territory.	
May 13		Reports movement of armed party in State of Maine.	
Sept 13		Copy of Instructions given to Warden of Disputed Territory.	

