

NEW BRUNSWICK A CENTURY AGO

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JUST one hundred years ago, Major-General Sir Howard Douglas was Governor of New Brunswick. The purpose of this paper is to review that volume of his *Letters*, of which a copy has recently been made by the photostat for Dr. J. Clarence Webster, from the original manuscript now in the possession of one of Sir Howard's granddaughters. This photostat has been presented to the Dominion Archives. It gives an idea of the work he did during a brief Governorship of the province, and helps us to reconstruct a picture of the manner of man he was. More important still is the light it casts on the provincial history of the period.

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Sir Howard Douglas was a soldier who served under Wellington in the Peninsular War, and he was Lieutenant-Governor of New Brunswick from 1823 until 1831. There is a comprehensive article about him in the *Dictionary of National Biography*, by the late H. Manners Chichester; there is a much shorter account in the eleventh edition of the *Encyclopaedia Britannica*; and there is a systematic *Life*, now out of print, by the late Stewart Watson Fullom, "at one time his private secretary." This last is interesting for the details of his early period, but it is disappointing in regard to his work in New Brunswick. If Fullom had access to the *Letters*, he does not seem to have used them well, though he has written a good enough *Life*—of a very Victorian kind. For instance, his description of what Sir Howard did in the great Miramichi Fire of 1825 is a long one, full of rhetoric, but less effective than a simple quotation from the *Letters* would have been. These are written in a distinct, restrained, and military style. Most of them are brief, fascinating in their concise courtesy, but instant in the disposal of business. When Sir Howard permits himself to write at any length, the effect is thus all the more remarkable.

He was in London for some months before he could begin work in New Brunswick. The Sign Manual of his commission was dated the 1st of April, 1823, but he did not take the oath and

assume office until the 28th of August, 1824. None the less, he showed at once a vigour, foresight, and thoroughness as regards duties, both private and public, qualities like those which Spenser wished to embody in his *Faerie Queen* as the twofold character of the magnanimous man, *noble in both politic and private vertues*. Such praise will not seem too high to anyone who has read the account of him in the *Dictionary of National Biography*, and may be seen clearly in these *Letters*, despite the impersonal, self-forgetting style.

In London his mind was already exercised about the Boundary Question, a matter then not settled, and full of possibilities. He studied the facts, as far as he could, formed an opinion subject to revision on the spot, and when sailing from Portsmouth for New Brunswick, he sent to Canning his "written observations on the Boundary, as agreed by the Treaty of Ghent." About the same time there are letters referring to the need for household accommodation upon his arrival; his anticipation of the "summer heats" (based perhaps upon his earlier acquaintance with Kingston); and other such matters. It is to him that Fredericton owes its first Government House, which however was burned not long after his arrival, in the great Fire; and the University Arts Building, a solid stone two-storey structure, was due to him too; it was finished in 1829. From what he did, or prepared to do, in London, it is clear that he was not an opportunist, but that rather than deal with things only as they might arise, he carefully prepared himself beforehand by acquainting himself so far as possible with the subject, so as to be able to control matters in accordance with a definite plan. Wellington spoke of him, after a disagreement as to the means of taking Burgos, as being right, and admitted that he had himself been wrong. Sir Walter Scott also, after the work in New Brunswick was done, spoke in the highest terms of Sir Howard. The effect of military experience, and ability not limited to one kind, was invaluable at a time when, in New Brunswick—which he himself called "this infant province"—everything was in confusion and his seems to have been the only directing mind.

He left London on May the 12th, 1824, reached Halifax on July 28th, and Saint John on September 3rd. A list of his party may be of interest:

Major-General Sir Howard Douglas and one A. D. C.
Lady Douglas.
Three Misses Douglas.

Two children (six and eight years of age).

One governess. |

Servants.

One upper nurse, to be with the children.

One lady's maid, to be with the young ladies.

Three men-servants. |

He at once established co-operation with Admiral Lake, commanding the fleet in North American waters. On Sep. 3rd, he announced to the Home Government that he had "taken upon himself the government of N. B.", and did so. He disposed at once, with courtesy and firmness, of job hunters, and left the law to take its course in a case of appeal where there was no clear ground for any exercise of the prerogative of clemency, or for direction of a new trial. He approved of the appointment of an Episcopal minister, whose services were needed, without delay. He seems to have been more interested in his work than in himself. He sought the magnification of the office, not the man, requiring an official residence not so much to support his own dignity as to counteract what he called the "levelling tendencies of our neighbours to the South." For the same reason he objected to the first steam-boat on the river, owned by a company with a monopoly who provided no other accommodation for the Governor than a cabin which must be shared with negroes and what used to be called the "lower orders." He considered that the government should provide separate cabin accommodation, and that the monopoly was bad. In 1825, as the result of his remonstrances, the Colonial office authorized an expenditure of £400 from the King's Casual Revenue to be applied to the purchase of a steam-boat for the Governor's use.

Sir Howard combined quick decision with promptness of action in a wide range of matters: e.g. education; savings banks (of which he seems to have been the originator in the Army); agricultural societies; the administration and quick discharge of justice; various economic affairs; the re-organization of the militia; the building of lighthouses; and, to show that he was human and not above details, he also sought provision for the family of a public servant who had become lunatic.

The new Governor found things in confusion and called at once for accounts from the various departments; required returns from the Customs, with authority for their charges, perquisites and fees; stirred up the Naval Officer to fulfil his duties and cease to regard his office as a sinecure in Saint John, with immediate

result; commented on the improper condition of the streets of Saint John in terms which produced improvement, but caused no lasting offence; took active interest in the Emigrant Society and the Madras Schools; provided such small but essential things as spades for emigrants, and objected to the expenditure of money for general purposes by the Madras Schools when it was earmarked for special purposes. He made arrangements with the Judges for regular Courts, and effected an increase of the Judges' meagre salaries; while he ordered accounts to be rendered to the Lords of the Treasury as a final and certain means to ensure the economical discharge of the public services. Sir Howard lamented the approaching extermination of the Indian and made proposals to hinder this, seeing that to let him become a town dweller was a mistake, and that more hope lay in giving him land where he could work, with encouragement for his industry. He objected strongly to a school where the children of natives were taken from their parents under cover of charity and a mistaken notion of religion and education, or where they were confused with children of European descent, and he put a stop to this practice. He advised reservations for the Indians of New Brunswick, and an Inspector, responsible to government, who should supervise their activities and needs. He sent to King William for the Surveyor General for the Highlands of Scotland, as he found the geological formation of parts of New Brunswick similar, and himself supervised the planning of all the great trunk roads, as from Fredericton to Saint John by the Nerepis Valley—still the shortest and best road—from Fredericton to Saint Andrews and St. Stephen, a road of military importance, and from Fredericton to Quebec. He found the roads of the early settlers no roads, running as tracks over the ridges and spurs in straight lines; he left roads where coaches could travel, for example from Fredericton to Saint John, in the worst season of the year in twelve hours instead of from three to five days. The original plans of one of these roads are still in the Office of Lands and Mines in Fredericton, and seem to one who is not an engineer to be beautiful surveys of the line of road, without any attempt to map the surrounding country beyond a few yards. The Governor established a regular line of Posts between all the principal points in the province, Nova Scotia and Quebec, by co-operation with Nova Scotia. He found the Provincial College, or Academy, a Grammar School and left it a University with a Royal Charter, and a better building than is likely to be seen now, in a splendid situation, with forest lands from the Crown as an endowment; and above all fought the battle of toleration so that

the advantages of education within the province were not confined to those who would subscribe to the Thirty-Nine Articles. In this he found much and strong opposition, both from the Bishop of Nova Scotia, who had other ideas, and the Archbishop and Court at home; but by persistence and courage he finally obtained a wise compromise, so that only candidates for Degrees in Divinity were required to subscribe—though the Chancellor remained a minister of the Episcopal Church for some years—and this was a victory at that time which ended in complete freedom afterwards. If he had insisted on this in his own day, nothing would have been won.

These things, and others like them, show how wide his interests were, how active he was, and how thoroughly he acquainted himself with affairs. He wrote, for example: "I have taken time to look about me" (soon after his arrival, like a soldier making an "appreciation," or anticipation of what way things would go, after a survey of the ground); and, again, "I have read over all the minutes, and have made myself thoroughly acquainted", etc. The words themselves, and the hand-writing, though formal, do not imply the emptiness often associated with formality.

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The chief matters of his term of office in New Brunswick were the Boundary Question, and the economic question of tariffs. These matters led to his return to England, to give evidence before the King of the Netherlands about the Boundary, and to resign his office so that he might be free to fight the cause of New Brunswick in parliament against the advantage given to Baltic timber.

The economic matters may be considered shortly before the other affair of the boundary is finally mentioned.

He protested to the home government, and was finally successful in protesting, against the prohibition of importing foreign sugars. He was not, as he told Sir Robert Peel on a later occasion, for "free trade", but for "fair trade." He wanted reciprocity and if the United States would not give this, he demanded instead a tariff to protect an infant province. On the other hand, he thought that American sugars should be admitted, so that New Brunswick fish could be exchanged. If not, the Canadian fishermen would be deprived of their natural market, the West Indies would not really benefit, the American sugars would meet us in other markets, and smuggling would increase on the St. Croix, in both rum and sugar. He asked for a naval watch over this area. As regards some things, such as tea, he seems to have advocated the present policy of trying

to keep trade within the Empire, where possible, making detailed enquiries about the supplies of tea and recommending the importation into Saint John direct, and not through American ports, of Indian teas for New Brunswick use. In the matter of foreign sugars, and in obtaining the university charter with some degree of toleration, it can be seen that he identified himself with the real interests of the province as against the local interest of the Family Compact, or the Church of England, and the unwise and not well informed policy of the home government, making decisions far from the place. His object, he wrote, was to encourage the growth of the province as settled by British subjects to be independent of the United States, and to counteract the natural tendency of dependence upon immigration from the south. This is well seen in his action during the Miramichi Fire when he went, giving help and encouragement, all the way through the smouldering forest from Fredericton to Chatham with a team holding money and supplies. He saved many from emigrating to the States in sheer despair. The same helpfulness is seen in his plan for savings banks. He took advantage of some alterations to be made in the Acts of Parliament in England which covered the savings banks, after studying the many systems of savings banks in Europe before he left, to represent to the government upon his arrival the great need there was for facilities to be given to the people of New Brunswick, so that they might invest their money in British funds. In this way he desired the extension of savings bank facilities to the Colony, to form an economic link with the motherland as against the natural drift of savings to the United States. His detailed suggestions followed the recommendation of this plan.

In these economic matters he showed a clear grasp of economic principle, with a businesslike application to actual needs, certainly no doctrinaire interference on abstract grounds. He found time to take an interest in scientific things too, writing to his friend Sir Humphrey Davy about the possibilities of minerals at the head of the Bay of Fundy, and sending him two bottles of water and some salt for analysis and his opinion.

Once he was in New Brunswick, he took care to study the boundary question on the spot, and was confirmed in his opinion that the U. S. Commissioners based their claim, during negotiations after the Treaty of Ghent, to a large area of territory, upon grossly inaccurate surveys. Satisfied of this by careful examination, he now pressed the observations which he had already made to Canning when he was leaving England, and maintained that we should not give up 10,000 square miles of rich territory for a mere *point*

d'appui, Rouse's Point, a place established by the U. S. Commissioners to be on the map where it was not on the ground. Their claim involved the New Brunswick settlement of Madawaska, which they alleged to be in the State of Maine. He wrote fully to Mr. Addington, British Chargé d'Affaires at Washington, April 26th, 1825, showing that acts of sovereignty had been long exercised in more than one kind over those tracts of territory now claimed by the U. S. Commissioners appointed to adjust the boundary line. He maintained that they advanced very "exaggerated pretensions" and interpretations of the Second Article of the Treaty of 1783, referred to in the Fifth Article of the Treaty of Ghent. He showed that neither our Commissioners nor our government had conceded these claims. Sir Howard intended to act in accordance with the views of the home government as expressed to his predecessors, and found that the American claims in this area were defined by Lord Bathurst, the Secretary of State for the Colonies, as encroachments. He thought that the only way out of increasing difficulties was to come at once to an amicable settlement, upon those terms of "reciprocity, mutual convenience, and concord" originally pledged by the Treaty of 1783, so as "to give each claimant a share of the course and benefit of the rivers which have their sources in, run through, and empty themselves into the sea within the territories of the respective claimants." On April the 29th, 1825, he writes to Lord Bathurst: "Your Lordship will perceive . . . that . . . with an increased sense of the immense value and importance to the British government of the territory in question, I do not consider myself at liberty to surrender any of the rights of possession which we have long held in that territory; but I will exercise it with great *discretion*."

This statement embodies the substance of a long correspondence, and is in itself an epitome of what Sir Howard both thought and did. By refusing to do anything himself, and referring everything to His Majesty's government with reiterated emphasis on the importance of standing fast, he maintained our position and avoided a quarrel which the State of Maine was only too anxious to provoke. He pointed out that Maine was claiming to adjudicate the disputed territory as if it were a sovereign State. Now part of the disputed territory lay in Vermont, part in what was claimed as Maine. The importance of this claim, in Sir Howard's view, lay in the fact that, should the Americans gain this territory which they claimed on the Upper Saint John River, "they would apply with double force, with respect to the navigation of that river, the principle upon which they have already claimed

right to the navigation of the Saint Lawrence." This claim to control the waterways the Committee of the State of Maine openly avowed, he said. But Sir Howard foresaw a far more embarrassing claim, the navigation of the Saint John to its mouth. He turned again to the principles and spirit of the Treaty of 1783. He referred to the circumstances at the time of that Treaty, and sought guidance in its spirit where the letter might be obscure. He pointed out that the Americans were then satisfied with their independence, and were contracting at Paris for a boundary to mark, when it should be settled, the territory of the United States, without notion of aggrandisement. Maine did not then exist. The line was not pretended to be laid down topographically, as the interior was utterly unknown at that time. It could not be supposed that in 1783 our negotiations could have contemplated the surrender to the State of Massachusetts of a wilderness territory, extending towards our provinces so far from their own advanced settlements and obtruding into the very heart of what is now New Brunswick. The claim of Maine, he urged, was recent, and actuated by its desire to aggrandise itself. He referred to Lord Dorchester and his procuring of the erection of what is now New Brunswick into a separate province, and to his brother, Governor Carleton. Both of these knew well the real principle and spirit in which the line of demarcation was intended to apply. Sir Howard was anxious that the home government should be well informed, and not sacrifice so important a section, full of so much valuable and untouched forest land.

Some New Brunswick men from the Upper Saint John made an incursion into the disputed territory and began to cut timber. He had them arrested. The State of Maine would have been outraged had they been allowed to stay, but itself sent land agents who offered to sell sections of this disputed area to British subjects and tried, in vain, to dissuade men from their annual militia training. Sir Howard therefore pointed out to Lord Bathurst that while Maine required us not to prejudice the disputed territory in any way, they deliberately sold timber licenses. He feared disorders if such depredations on British territory were to continue.

The result of his remonstrances to Washington was that the federal government directed Massachusetts and Maine to suspend the measures complained of. The last letters in this MS. show that he encouraged an address of both Houses in Fredericton to His Majesty, stating the case correctly, and demanding preventive measures in temperate and dignified terms. He himself wished to avoid collision, and a speedy end to the dispute. No

more of this important and interesting affair can be studied in the *Letter Book*, as it ends at this point. But Fullom, in his *Life*, shows how successful Sir Howard was in avoiding this collision he feared, which Maine did its utmost to provoke. After this order to desist from the federal government, Maine sent a man called Baker, who "burst into a British settlement and hoisted the American flag in token of sovereignty." This was done deliberately, at a time when feeling on both sides was high. The Governor of Maine also called out the militia and marched it up to the frontier, hoping that Sir Howard would do likewise. He made no allowance, says Fullom, for "American magnificence", and fell into no such trap. He sent a constable who knocked down the flag-staff and took Baker into custody, taking him off in a wagon before the crowd understood. Thus there was no disturbance in New Brunswick, while the Maine militia marched up and down the frontier, spoiling for a fight. Its Governor sent an envoy to Sir Howard demanding the instant release of Baker, but the envoy was not received, though he was hospitably entertained. Sir Howard wisely and calmly maintained that he was unable to enter into the subject at debate, as no communication between the two governments was authorized except through the British Minister at Washington and the central authorities.

This firm refusal to allow the province and government to become embroiled in a quarrel, which might have led to a war, was highly approved. Among others, the Governor-General, the Earl of Dalhousie, wrote and said: "Nothing more firm, polite, and proper, could have done in these delicate and very important matters." Sir Howard yielded to no representations from Maine; "he persevered in the prosecution of Baker, who was tried before the Chief Justice, found guilty, sentenced to be fined, and the fine paid." The end of the affair, and the result of Sir Howard's attitude was that public attention was drawn to the matter; the government at home could not let the affair go unheeded any more, and the question of the boundary was submitted to arbitration. "Sir Howard was called to assist in Europe in preparing the British case before the King of the Netherlands."

He never returned because, while he was still in England, the other question of timber duties came up before Parliament and Sir Howard, who regarded himself as a trustee for the interests of his province, wished to be free to urge the need for a British preference for colonial, and particularly New Brunswick lumber, against what he thought to be the foolish advantage afforded to lumber from the Baltic States. He presented a memorial to Sir

Robert Peel on this matter, and his resignation at the same time. In the end, he won here also.

There are many other things which he did in New Brunswick, mentioned in the *Letters*, of which these may be enough to show that he was a man remarkable in more than one respect. He had foresight and political wisdom of an unusual kind, with a vigour and courage in the prosecution of what he considered his duty which could not be exceeded. He was not always right, for he prophesied the disruption of the United States and withstood the introduction of iron warships; but when he foretold that as fast as armour plate could be increased, so fast would guns be invented that could penetrate the armour, he looked as far ahead as the Great War and the loss of the *Lion*. He looked forward, even in 1825, to Confederation, but in a letter to Lord Sidmouth he commented on the inadvisability of any haste, and argued against the premature legislative union of the provinces until the ground should have been prepared. It seems, in his great treatise on "Military Bridge Building", that the idea of the suspension bridge was his own, given to Telford, with whom he corresponded. He was always applying his knowledge of mathematics to practical ends. He proposed while he was in New Brunswick the Baie Verte Canal, to promote coastwise trade and trade with the interior of the province and Nova Scotia, and had three surveys made, writing to Telford to send him a good engineer. He wondered whether a canal or a railway would be better. At Grand Falls he wanted a tunnel built to save timber from injury, and he wished to introduce the Bramah hydraulic machine for hauling heavy logs. If hydro had been heard of at that time, no doubt he would have considered its application to an infant province, with due economy. In providing for the possession of the river Saint John as a permanently British river, so far as he could, he may be said to have made this new development possible. He wanted the channel of the river improved, if possible, at the Reversing Falls to deepen it for shipping, and if this had been done, or could have been done, there might have been no question of the height of the bridge at that point. He wrote about the iron ore and coal in the province, and caused lighthouses to be built on Saint Paul's Island in the Gulf, at a point off Grand Manan, and elsewhere, remembering his early experience of shipwrecks on these coasts.

There does not seem to be any need for wonder at the high opinions of him which were held by Sir Walter Scott, who had the same nurse as Sir Howard, and by Wellington. Throughout his life, whether in the Peninsula during the war; at the Training

School for Officers at High Wycombe which he planned, and of which he was the first Commandant; writing his treatise on Naval Gunnery—the first on that subject; in New Brunswick; or later as High Commissioner for the Ionian Islands, he seems to have been working throughout with the ideal of public service always before him, and to this end he consecrated all his many and various gifts, leaving behind him wherever he went, not least in New Brunswick, a work that has not perished.