

No. 20.

Despatch from the
Earl of Gosford to
Lord Glenelg,
11 May 1836.

(Enclosure 5, in No. 20.)

REPORT.

To his Excellency the Right honourable Lord Aylmer, K. C. B., Captain-general and Governor-in-chief of the Province of Lower Canada, &c. &c. &c.

REPORT of a Committee of the whole Council,—present the Hon. Mr. Smith, Mr. De Lery, Mr. Stewart and Mr. Cochran,—on your Excellency's reference respecting the excess of land granted to Mr. Felton's family, and to be surrendered by him or them.

Enclosure 5. May it please your Excellency,

As it appears from Mr. Felton's letter of the 5th May last, that several of his children are under age, so that valid conveyances could not now be obtained from them for the surrender to His Majesty of the excess of land granted to them above the quantity authorized by His Majesty's Government, and as such conveyances of surrender, even from the elder branches of Mr. Felton's family and from himself, might be subject to some doubt as to their revesting the lands in His Majesty, with a title perfectly free from incumbrance, the Committee are induced to advise, as the most eligible mode of giving effect to the instructions of His Majesty's Government, and avoiding these and other difficulties suggested by Mr. Felton, that he should be called upon to pay to His Majesty the value of the excess of land so granted to him and his family, such value to be ascertained by the price obtained by the Crown for wilderness lands in the nearest township in which sales have been made in the neighbourhood of the lands granted to Mr. Felton and his family.

All which is respectfully submitted to your Excellency's wisdom.

Council Chambers, }
13th June 1835. }

By Order,

(signed) W. Smith, Chairman.

(Enclosure 6, in No. 20.)

LETTER from Colonel Craig to W. B. Felton, Esq.

Sir,

Castle of St. Lewis, Quebec, 16th June 1835.

Enclosure 6.

I AM directed by the Governor-in-chief to transmit for your information and guidance the accompanying extract, from a Report of a Committee of the Executive Council, respecting the excess of land granted to your family, and to be surrendered by you or them; and his Excellency has further directed me to request that you will adopt the necessary measures to carry the recommendation of the Council into effect.

I have, &c.

(signed) H. Craig, Secretary.

(Enclosure 7, in No. 20.)

LETTER from W. B. Felton, Esq. to Colonel Craig.

Sir,

Quebec, 18th June 1835.

Enclosure 7.

I AM honoured with your letter of the 16th instant, enclosing a report of the Executive Council, approved by his Excellency the Governor-in-chief, and directing me to adopt the necessary measures for carrying the recommendation of the Council into effect.

The report of the Council advises that I should be called upon to pay to His Majesty the value of the excess of land granted to my children, such value to be ascertained by the price obtained by the Crown for wilderness land in the nearest township in which sales have been made in the neighbourhood.

I am happy to perceive that a final decision has at length been come to on this business, which it was my desire to terminate long since, and in the manner most agreeable to His Majesty's Government.

In order to give effect to the recommendation of the Council, I beg leave to submit the proceedings necessary to ascertain the value of the lands in question, taking it for granted that the price at which the sales made to the B. A. L. Company have been effected apply to the lands, and that the actual sales in the same township, together with those to the Company, should form the basis of the estimate for their value; and that the difference of quality and position should influence that result, as in similar cases, when the value of other Crown lands are to be ascertained, it will be necessary to determine by examination the actual circumstances of the lots; and as the B. A. L. Company has required a survey to be made, to

mark