

the lands which have been assigned to my children above the authorized quantity of 200 acres to each; or should that be impossible by reason of their nonage, the surrender of an equivalent portion of my own lands.

I have now the honour to inform you, that I am ready to make the required surrender immediately, and request that you will be pleased to signify the manner in which the legal adviser of Government will recommend that operation to be performed. As I have evinced my early compliance with the decision of the Secretary of State, I trust his Excellency will feel himself at liberty to transmit to His Majesty's Government my remonstrance on the subject, as I am convinced that a more dispassionate judgment will be awarded, and a conclusion more just and liberal towards me will be arrived at, when all the circumstances attendant on the transaction, more particularly those connected with my relations to the Government as a Legislative Councillor and Commissioner of Crown Lands, shall be maturely considered.

I have, &c.

(signed) *William B. Felton.*

No. 20.
Despatch from the
Earl of Gosford to
Lord Glenelg,
11 May 1836.

(Enclosure 3, in No. 20.)

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

Sir,

Castle of St. Lewis, Quebec, 14 January 1835.

Enclosure 3.

With reference to your letter of the 9th instant, on the subject of the lands which have been assigned to your children, above the authorized quantity of 200 acres to each, I am directed by his Excellency the Governor-in-chief to inform you, that the orders of the Secretary of State to demand the surrender of any land assigned to your children, which shall exceed the grant of 200 acres to each, as sanctioned by the instructions of Sir George Murray to Sir James Kempt, being imperative, it is his Lordship's desire that you will put yourself in communication with the Attorney-general (to whom an extract from Mr. Secretary Spring Rice's despatch of 29 October 1834 has been communicated) for the purpose of effecting the surrender accordingly.

I have, &c.

(signed) *H. Craig, Secretary.*

(Enclosure 4, in No. 20.)

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

Sir,

Quebec, 5 May 1835.

Enclosure 4.

In obedience to the desire of his Excellency the Governor-in-chief, expressed in your letter of the 14 January last, I placed myself in communication with the King's Attorney-general, on the subject of the conveyance to the Crown of an excess of waste lands granted to my children, above the quantity which the Secretary of State authorized them to receive. Upon making inquiry as to the course which I am to adopt for effecting that object, I have ascertained, by a verbal communication from Mr. Attorney-general, that the difficulty which was anticipated by the Secretary of State in relation to the rights of the minors involved in this conveyance, appears to be of a nature which cannot readily be got over; and therefore the alternative contemplated in the same despatch will most probably be resorted to for the satisfaction of His Majesty's Government. Under these circumstances, I renew the assurance which I had before the honour of making to you, that however I may regret the decision of the Secretary of State, yet that I am most ready to accede to any measure which may place the Crown in the same position in which it stood before the patents passed the Great Seal; and I am desirous of ascertaining whether his Excellency, in carrying the instructions of the Secretary of State into effect, prefer the conveyance to the Crown of an equal quantity of land, or the payment of the value of that which has been already granted. Should my Lord Aylmer think proper to entertain any proposal of this character, it may probably be convenient to refer to the Executive Council to point out the mode of ascertaining the equivalent to be offered. In the absence of better means of coming at the value, I take leave to suggest that the examination and report of a surveyor (Mr. Wells) who was employed by the B. A. Land Company to inspect the lands in question, would furnish tolerably accurate grounds for fixing the price. I beg leave to point out, that the Crown in resuming these lands would probably obtain nothing for them from the Company, who would claim them as part of all the Crown property sold to them at a fixed sum, *en bloc*, or would demur at the price, if the payment was to be made in addition to that sum, at the rate of the other lands purchased by them.

I have, &c.

(signed) *William B. Felton.*