

to be informed where Mr. Felton made his claim for 913 acres of land as a per-centage, and to be furnished with a copy of the letters patent conveying the same to him,—that no letters patent had yet issued for that claim; and I now beg leave to inclose, for the information of his Excellency the Governor-in-chief, a joint report of the solicitor-general and myself, to which the fact of no letters patent having been issued has given rise, and which, I humbly presume, will lead his Excellency to consider the convening of a court of oyer and terminer for the prosecution of Mr. Felton, as directed by your letters of the 31st March last, and the 11th of May instant, as inexpedient.

Correspondence  
respecting  
Mr. Felton.

I have, &c.

(signed) C. R. Ogden, Attorney-general.

S. Walcott, Esq., &c. &c. &c.

No. 8.

Montreal, 30 May 1830.

Sir,

HAVING, with reference to your letter to the attorney-general of the 20th instant, reconsidered the opinion which, in obedience to the commands of his Excellency the Governor-in-chief, we had the honour to transmit to you on the 5th March last, wherein we stated that, taking the evidence reported by the special committee of the Assembly instructed to prosecute the inquiry into the public character and conduct of the Hon. W. B. Felton, to be such as would be received by a grand jury, there were grounds set forth in the report, and in the documents brought forward in its support, for a criminal prosecution of Mr. Felton as a public officer, for selling lands as his own, which, it is said, belonged to the Government, for effecting the settlement of which lands he was entitled to and did claim and receive from the Government suitable remuneration; we have now the honour to report, for his Excellency's information, that the fact communicated by you in your letter of the 20th inst., that no letters patent have been issued conveying to Mr. Felton the 913 acres of land claimed by him as his per-centage, and which it is stated in the report of the special committee "he received," subverts, in our opinion, the supposed ground for a criminal prosecution of Mr. Felton.

We have, &c.

(signed) C. R. Ogden, Attorney-general.  
M. O'Sullivan, Solicitor-general.

S. Walcott, Esq., Civil Secretary.

No. 9.

Castle, St. Lewis, Quebec, 8 June 1836.

Gentlemen,

WITH reference to your joint report of the 30th in Mr. Felton's case, wherein you state that the fact communicated in my letter of the 20th ult., that no letters patent have been issued conveying to Mr. Felton the 913 acres of land claimed by him as his per-centage, subverts in your opinion the supposed ground for a criminal prosecution of Mr. Felton; His Excellency the Governor-in-chief has commanded me to request that you will state for his information whether, assuming to be true the charges preferred by the House of Assembly against Mr. Felton, and the evidence and documents adduced in support of them contained in the 2d report of the standing committee of grievances, there exists any ground on which a legal prosecution by the Government could be maintained against that gentleman for obtaining money under false pretences, or for selling for his own benefit land which, under his instructions as Government agent, he ought to have settled without asking and receiving from those who demanded it, any remuneration as the price of such land.

I have, &c.

The Attorney and Solicitor General. (signed) S. Walcott, Civil Secretary.

No. 10.

11th June 1835.

Sir,

WE had the honour to receive your letter of the 8th inst., conveying to us the commands of his Excellency the Governor-in-chief that we should state, for his information, whether, assuming to be true the charges preferred by the House of Assembly against Mr. Felton, and the evidence and documents adduced in support of them contained in the 2d report of the standing committee of grievances, there exists any ground on which a legal prosecution by the Government could be maintained against that gentleman for obtaining money under false pretences, or for selling for his own benefit land which, under his instructions as Government agent, he ought to have settled without asking and receiving from those who demanded it, any remuneration as the price of such land.

In obedience to his Excellency's commands, we have the honour to report that assuming as true, with the modification produced by your letter of the 20th ult., the charges preferred by the House of Assembly against Mr. Felton, and the evidence and documents adduced in support of them, as contained in the 2d report of the standing committee of grievances, we think that they do not establish a case within the statute 30 Geo. 3, c. 24; and we are therefore humbly of opinion that there exists no ground on which a criminal prosecution could