

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

During the late session of the provincial parliament, and for some time afterwards, my attention was occupied with so many questions of general political importance and of pressing moment, that the consideration of Mr. Felton's case was postponed to a period when I could enter into a full and uninterrupted investigation of it. This opportunity did not present itself until a short time previous to the reception of your Lordship's despatch; and having, upon a perusal of the documents connected with the subject, arrived at the conclusion that the measures which had been adopted in consequence of Mr. Spring Rice's despatch would not lead to the result contemplated by His Majesty's Government, I did not hesitate to depart from the course which the proceedings had taken, and to revert to a literal observance of the instructions of the Secretary of State. With this view I caused Mr. Felton to be informed, on the 3d instant (Enclosure No. 11), that the Attorney-general had been instructed to adopt forthwith such measures as in his opinion would be best calculated to give immediate and full effect to the determination of His Majesty's Government, in the manner pointed out in Mr. Spring Rice's despatch.

Enclosures 12, 13  
and 14.

From the enclosed correspondence, which, in consequence of this letter, has taken place between Mr. Felton, the Attorney-general and my Civil Secretary, your Lordship will perceive that Mr. Felton, while he conceives that he has already complied with the wishes of His Majesty's Government as far as he was concerned, and that it only remained to fix the price of the excess of land to complete the purchase according to his previous offer, has expressed his willingness to accede to any other measure for meeting the views of His Majesty's Government; and to procure from such of his children as are of age, whose consent he has obtained, the surrender of their respective portions, with a suggestion, either that a writ of *scire facias* on the ground of error should be brought to annul the grant to the minors, or, if preferred, that he should give a mortgage security on his own lands, to procure a valid surrender from them when they come of age.

Enclosures 15  
and 16.

This is the last step that has been taken in the matter; but from the positive nature of the directions given to the Attorney-general, coupled with the disposition evinced by Mr. Felton, I anticipate a satisfactory termination to this unpleasant affair; and I shall not fail to give your Lordship immediate information of the subsequent proceedings that may be adopted in carrying into effect my determination to adhere to the instructions I have received.

I have, &c.

(signed) Gosford:

(Enclosure 1, in No. 20.)

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

Sir,

Castle of St. Lewis, Quebec, 9th January 1835.

Enclosure 1.

In compliance with the instructions of the Governor-in-chief, I have the honour of transmitting, for your information and guidance, copy of an extract from a despatch addressed to his Excellency by Mr. Secretary Spring Rice, dated the 29th October 1834, in relation to your explanation on the subject of a grant of Crown lands obtained by you in favour of your children, to the extent of 10,800 acres; and in compliance with the instructions conveyed in the concluding paragraph of the enclosed extract, his Excellency desires that you will immediately take the necessary steps for the surrender to the Crown of all the lands which have been assigned to your children above the authorized quantity of 200 acres to each; or should that be impossible by reason of their nonage, the surrender of any equivalent portion of your own lands.

I have, &c.

(signed) H. Craig, Secretary.

(Enclosure 2, in No. 20.)

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

Sir,

Quebec, 9 January 1835.

Enclosure 2.

I AM to acknowledge the receipt of your letter of this day, covering the copy of an extract from a despatch, addressed to his Excellency the Governor-in-chief by Mr. Secretary Spring Rice, of the 29th October 1834, and calling upon me to surrender to the Crown all the