

CORRESPONDENCE between the Secretary of State for the Colonies and the Governors of *Canada* and Mr. *W. B. Felton*, relative to Lands granted to the said *W. B. Felton*.

— No. 20. —

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*.

My Lord,

Castle of St. Lewis, Quebec, 11 May 1836.

I HAVE the honour to acknowledge the receipt, on the 5th instant, of your Lordship's despatch of the 23d of February last (No. 52), referring to a previous despatch from Mr. Spring Rice, of the 29th of October 1834, on the subject of the large quantity of land obtained by Mr. Felton in his own name, and in the names of his children; and, in compliance with your Lordship's wishes, I lose no time in transmitting for your information the enclosed documents (sixteen in number), being copies of all the correspondence and proceedings which have taken place in this matter since the receipt of Mr. Spring Rice's despatch, which it appears reached Quebec on the 6th of January 1835.

Upon a perusal of these documents your Lordship will perceive that, on the 9th of the same month, my predecessor furnished to Mr. Felton so much of Mr. Spring Rice's despatch as he was therein directed to communicate to that gentleman, and called upon him immediately to take the necessary steps for the surrender to the Crown of all the lands which had been assigned to his children, above the authorized quantity of two hundred acres to each; or, if that should be impossible by reason of their nonage, for the surrender of an equivalent portion of his own lands. Mr. Felton, in his reply of the same day, expressed his readiness to make the required surrender, and requested to be informed of the manner in which the Governor wished that operation to be performed; at the same time intimating an intention to remonstrate against the measure thus adopted by His Majesty's Government. The matter was then placed in the hands of the Attorney-general, to whom Mr. Felton was referred for the purpose of making the required surrender. In the month of May following Mr. Felton addressed a letter to the then Civil Secretary, in which, after stating that, from a verbal communication with the Attorney-general, he had ascertained that, by reason of nonage, there existed difficulties not easily to be overcome in the way of a surrender of the lands granted to his children, and renewing the assurance of his readiness to meet the views of Government, he inquired whether an equivalent in land, or the value in money, of the excess granted to his children above the authorized quantity, would be preferred. Upon this, it appears that my predecessors suspended all proceedings on the part of the Attorney-general by referring the matter to the Executive Council, who, in a Report dated the 13th of June 1835 (No. 5), recommended, as the most eligible mode of giving effect to the instructions of His Majesty's Government, and avoiding the difficulties suggested by Mr. Felton, that he should be called on to pay the value of the land in money; such value to be ascertained by the price obtained by the Crown for wild lands in the township nearest to that in which the lands assigned to Mr. Felton and his family were situated. The recommendation of the Council was sanctioned by Lord Aylmer, and communicated to Mr. Felton, with a request that he would adopt the necessary measures for carrying it into effect. He accordingly pointed out the steps (see Enclosure No. 7) which, in his opinion, would be best calculated for ascertaining the value of the lands; and his suggestions having been approved by the Governor in Council, Captain Hayne, of the Royal Staff Corps, then superintending, on the part of the Crown, the survey of lands in the neighbouring township for the British American Land Company, was instructed on the 15th of August last, to obtain and report to his Lordship the best information in his power as to the value of the lands assigned to Mr. Felton's family; but it appears from Captain Hayne's Report of the 6th of February last (Enclosure No. 10), that the nature of his other duties was such as to prevent his carrying these instructions into effect.

No. 20.

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

Enclosure 1.

Enclosure 2.

Enclosure 3.

Enclosure 4.

Enclosure 5.

Enclosure 6.

Enclosure 8.

Enclosure 9.