

under his instructions as Government agent he ought gratuitously to have assigned to those who applied for it. This question was answered in the negative; and having thus ascertained that none of the charges against Mr. Felton were cognizable by a court of law, I determined at once to take the whole case into my own hands, and after affording to that gentleman the most ample opportunity for explanation, to adopt such measures as the true nature of the transactions might require; for I conceive that the mere circumstance of no letters patent having been issued, does not in any degree affect the moral character of the question.

I should acquaint your Lordship that Mr. Felton has transmitted to me the explanation which I had called upon him to furnish, a copy of which I now enclose; but as it was prepared under the impression that a criminal prosecution was hanging over him, he may not have deemed it advisable to make so complete and unreserved an exposition of his case as he might have wished to offer had no legal proceedings been in contemplation. I thought it but just, therefore, before coming to any decision, to afford him an opportunity of supplying any observations and proofs which the apprehension of a trial at law may have induced him to withhold. On receiving his answer, I shall give the case my immediate and most attentive consideration, and your Lordship shall receive the earliest intimation of the opinion I may form, and of the steps which I may conceive it proper to adopt in this matter.

In the meantime I have the honour to transmit for your information copies of the various official communications, 12 in number, that have passed on this subject since the date of my despatch of the 12th ultimo, and I trust that the course I have pursued will be found to be in unison with the views of His Majesty's Government, as expressed in your Lordship's despatch of the 5th ultimo, No. 79, which reached me yesterday.

I have, &c.
(signed) *Gosford.*

Enclosures, Nos. 1 to 12, in preceding Despatch.

No. 1.

Enclosures,
Nos. 1 to 12.

Sir,

Castle of St. Lewis, Quebec, 31 March 1836.

THE Governor-in-chief being very desirous that such of the charges perferred by the House of Assembly against public officers as are capable of a legal investigation, and are cognizable within the district of Three Rivers, should be proceeded upon with the least possible delay, his Excellency has commanded me to request you to prepare the necessary commission to convene a court of oyer and terminer and general gaol delivery, to be held at Three Rivers; and as he understands that for various public reasons it cannot conveniently be called together at an earlier period than the 21st of May next, he has directed me to fix that time for assembling the court; and it is his wish that you should avail yourself of that opportunity to proceed in the matters connected with the Indian Stream outrages.

I have, &c.

To the Attorney-General,
Quebec.

(signed) *S. Walcott, Civil Secretary.*

No. 2.

Sir,

Castle of St. Lewis, Quebec, 10 May 1836.

REFERRING to my letter of the 31st of March last, I have now the honour to inform you that it is the desire of his Excellency the Governor-in-chief that in preparing the commission therein mentioned for convening a court of oyer and terminer, you will insert the names of all the judges of His Majesty's Court of King's Bench in this province, of whom not less than two may form a quorum, and state that the court will be held within the district of Three Rivers generally, leaving the appointment of the time and place of meeting to the judges.

I have, &c.

To the Attorney-general,
Quebec.

(signed) *S. Walcott, Civil Secretary.*

No. 3.

Sir,

Quebec, 12 May 1836.

HAVING been honoured with your letter of yesterday's date, conveying to me the commands of his Excellency the Governor-in-chief, informing me that it is the desire of his Excellency that in preparing the commission therein mentioned for convening a court of oyer and terminer, I should insert the names of all the judges in this province, of whom not less than