

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

My Lord,

Downing-street, 23 November 1836.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 10th of August last, in which you report that having given Mr. Felton every opportunity of defending himself against the charges which have been brought against him by the Assembly, his explanations have not proved satisfactory to your mind, and that you have therefore felt it to be your duty to suspend him from the office of Commissioner of Crown Lands, informing him that his case would be submitted for His Majesty's final decision.

In consequence of this communication from your Lordship, I have been engaged in an attentive consideration of the Report of the Grievance Committee, by whom the charges against Mr. Felton were investigated and preferred, of that gentleman's defence, and of all the other papers which accompanied your Lordship's former despatches, of the dates and numbers noted in the margin.

The substance of the report of the committee may be thus shortly stated.

In the year 1822 Mr. Felton being appointed agent for Ascot and other adjoining townships, was instructed to hold out the promise of a grant of 100 acres of land to every applicant who should perform the conditions of actual settlement, and for every 100 acres which should thus be brought into cultivation by settlers located under his superintendence, he was to receive a per-centage of five acres. When applied to for free grants on the above conditions, Mr. Felton is said to have invariably denied that he had the power of making such grants, and to have resorted to subterfuge to induce the applicants to purchase land from himself, of which land he fraudulently represented himself to be the proprietor. Of the sales effected in this manner, a statement is given of the quantity of land sold to a number of individuals, of the price stipulated to be paid by the purchaser, and of the sum actually received by Mr. Felton. In the returns transmitted by Mr. Felton to the provincial government of the locations effected by him as agent for the settlement of the townships, the names of all the above individuals, with one exception, are included. These parties were thus returned by Mr. Felton as having performed the settlement duties, and were in consequence of his recommendation included in letters patent purporting to make to them gratuitous grants of the very lands purchased by them from Mr. Felton. Large sums of money were in this way received by Mr. Felton, who far from accounting to the Government for them, actually claimed his per-centage upon all these sales as upon lands on which the settlement duties had been completed.

Such is a general statement of the grounds on which the committee have arrived at the conclusion that Mr. Felton has been guilty of oppression, peculation and extortion, by abusing the powers entrusted to him in relation to the waste lands of the Crown.

Contemplating the possibility of the land so sold by Mr. Felton being promised to him by the Government, the committee affirm that not one of the lots in question were comprised in any grant made to or applied for by him, or his family; and adverting to the discussions which have passed respecting the excessive grants to that gentleman's children, they contend that it was evident that the Crown considered the amount of land already granted to him to have been sufficient. The fact, however, of his having claimed his allowance from Government of five per cent. on the land which he sold, has led the committee to decide that he is guilty of the charges against him, whether he was or was not proprietor of the land in question. "If," they say, "the land belonged to Mr. Felton, he could not honestly claim a commission for selling it; nor, if the land belonged to the Crown, could he honestly sell it, and convert the price, as he has done, to his own use." The documents and evidence appended to the report would appear to establish the conclusions of the committee to their full extent. Of these accusations I should have expected from a person of Mr. Felton's station in society, apart from the relation in which he stands to your Lordship's Government, the most distinct and unqualified refutation; but although I have been disappointed in such expectations, I will not on that account less attentively consider the statements by which he has endeavoured to justify his proceedings.

In the first place then, with regard to the sale of the land, I find that Mr. Felton contends that he had a right to nominate and recommend his labourers for gratuitous grants from the Crown, and that the arrangements which they might