



LOWER CANADA.

RETURN to an ADDRESS of the Honourable The House of Commons,  
dated 24 February 1836;—for,

COPIES of all CORRESPONDENCE that has taken place 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*.

(*Mr. Roebuck.*)

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Colonial Department, }  
29 February 1836. }

G. GREY.

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Ordered, by The House of Commons, to be Printed,  
4 March 1836.

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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. 1. —

COPY of a LETTER from Mr. *Felton* to the Earl *Bathurst*.

My Lord,

London, Spring-gardens, 12 November 1814.

DEVOTED from my infancy to His Majesty's service, I find myself impelled to obtrude my pretensions on your Lordship's notice, in the conviction that my claims will be attended to with the liberality usual to His Majesty's Government; I therefore take the liberty of representing to your Lordship, that after several years of acknowledged meritorious service in the post of naval-agent victualler, I was induced to accept the temporary appointment of consul at Leghorn, in the confident expectation of being confirmed, sacrificing the permanent situation of agent at Gibraltar, with a salary of 600*l.* per annum, and other advantages; but as I find that my Lord Castlereagh's arrangements do not permit me to hope for confirmation, I am obliged to direct my views to other pursuits. Understanding that His Majesty's Government has it in contemplation to give encouragement to persons of respectability and capital disposed to settle in *Canada*, I offer to proceed immediately with my family, and in company with the families of three other gentlemen named below, to establish ourselves on the land allotted to us, engaging to take with us a number of families of hemp-growers from the north of Italy, and some families from England, and to employ on the land a capital exceeding 20,000*l.*, on condition of receiving for myself and family, in consideration of my services and my present engagements, a grant of 5,000 acres of the waste lands in the townships of Inverness, Ireland, Wolfstown, Chester or Tingwick, in the province of Lower *Canada*, together with such future addition as the number of settlers we may establish beyond the proportion required for the 5,000 acres may require; the persons undernamed being granted the usual quantity of 1,200 acres each, for themselves and families:

Mr. Charles Whitcher and family;

Mr. John Felton and family;

Mr. Charles Bridgman Felton and family.

Our object being the *bonâ fide* settlement of ourselves and families in the country we have pointed out, we engage that every exertion shall be used to establish settlers of the most valuable description, and in the greatest numbers our capital can command; and it is submitted to your Lordship's consideration, whether the encouragement of conveying such families as may embark in England in transports as far as Quebec, can with propriety be afforded us. I beg to refer your Lordship for any particulars relative to my services, public and private character, to his Excellency Lord William Bentinck; Lord Exmouth; to all the Naval Boards; and, as touching my claims as consul at Leghorn, to the Secretary of State for the Foreign Department.

I have, &c.  
(signed) *W. B. Felton*.

No. 1.  
Letter from  
Mr. Felton to  
Earl Bathurst,  
12 November 1814.

— No. 2. —

COPY of a LETTER from Mr. *Felton* to the Earl *Bathurst*.

My Lord,

London, 9 December 1814.

IN reference to my application for a grant of land in the province of Lower *Canada*, I beg leave to request your Lordship will be pleased to direct that I may be allowed to rent, on the usual terms, the Crown and Clergy Reserves contained within the allotment marked out for me and my companions; and also that your Lordship will allow another person, proposing to accompany me, a similar quantity of land to that requested for the others: the name of the person in question is William Whitcher.

I have, &c.  
(signed) *W. B. Felton*.

No. 2.  
Letter from  
Mr. Felton to  
Earl Bathurst,  
9 December 1814.

6 CORRESPONDENCE RESPECTING GRANTS OF LAND

No. 7.  
Despatch from  
Earl Bathurst to  
Lieut.-Gen.  
Sir J. Sherbrooke,  
7 December 1816.

to show, that whatever brings those reserves into cultivation, must be for the ultimate advantage of the Clergy and the Crown; and that whether they be alienated for seven or fourteen years, or for the life of a settler, is a matter of comparative indifference.

It appears, from a map which Mr. Whitcher has produced to me, that some of the lots adjoining those now settled by Messrs. Felton and Whitcher have been granted, since their arrival, to non-residents; and, among others, I observe the name of Captain Loring, of the 104th regiment, who was at the time military secretary to Sir Gordon Drummond. If these gentlemen have correctly stated the extent of their exertions, and the capital employed by them, they have claims far superior to any which can be advanced by a non-resident; and I should gladly countenance an arrangement which could place them in possession of the land most conveniently situated for their purpose. But if it be true that Captain Loring has procured a grant of those lots since the plan of Messrs. Felton and Whitcher was known in the colony, I can have no difficulty in authorizing you to resume those grants, which, as he from his public situation must have known the promises of an extension of grant originally given to Messrs. Felton and Whitcher, he could only have obtained with the view of disposing of them to them, or of defeating the further execution of their project: under either of which circumstances I cannot consider him entitled to any consideration.

I am, &c.  
(signed) Bathurst.

(Enclosure.)

LETTER from Mr. Charles Whitcher to Earl Bathurst.

15, Arundel-street, Strand,  
19 November 1816.

Enclosure.

My Lord,

HAVING returned to this country for the purpose of procuring seeds and such implements of agriculture as we find on a local knowledge of Canada indispensable, I embrace the opportunity of acquainting your Lordship that by an early application of capital, and great personal exertion of Mr. Felton, myself and associates, we have been enabled to fulfil the conditions under which you were pleased to authorize a grant of land in May 1815, and the whole being in tillage for seed the approaching season, I trust the extension promised at that period may now receive your Lordship's sanction.

I take the liberty of making known the extreme difficulties we are under owing to the practice of setting apart the Crown and Clergy Reservations intersecting the lands allotted to settlers, which with the vast extent of waste lands even in the best townships, preclude a possibility of connecting a portion suitable to the management or maintenance of a respectable agriculturist. The consequent expense imposed on the settler by this arrangement of fencing and making general and occupation roads through their uncultivated spaces, occasion much serious interruption in the settlement, in addition to the numerous other difficulties we experience in the prosecution of our extensive schemes, that I venture to hope your Lordship will perceive how greatly it would accommodate and facilitate the accomplishment of our object were these Reserves included in the grant promised us.

And to further the intention of peopling the neighbourhood, I am induced to request that grants of 100 acres may be allowed such of our labourers as are disposed to become actual settlers.

I have, &c.  
(signed) Chs. Whitcher.

— No. 8. —

COPY of a DESPATCH from Lieut.-Gen. Sir J. C. Sherbrooke to  
Earl Bathurst.

No. 8.  
Despatch from  
Lieut.-Gen.  
Sir J.C. Sherbrooke,  
6 May 1817.

My Lord,

Quebec, 6 May 1817.

IMMEDIATELY on receiving your Lordship's despatch, of the 7th December 1816, directing that the lands granted to Major Loring and others, in Ascot, to the prejudice of Mr. Felton's establishment, should be resumed, I caused a communication on the subject to be made to Major Loring, who at once declared his readiness to surrender those lands to the Crown, either in exchange for others, or even without an equivalent if he should be required to do so.

He also gave such an explanation of the manner of his obtaining the lands in question as showed that he had no design of advantaging himself to the injury of Mr. Felton; and the enclosed copy of a letter from that gentleman to my secretary will show your Lordship that immediately after the lands were granted a satisfactory arrangement

TO MR. FELTON, IN LOWER CANADA.

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arrangement was made between him and Major Loring for the exchange of them, and that with this arrangement Mr. Felton remains satisfied.

The grant made to Lieut.-Col. Fulton, in the same township, arose from the precedent found in the case of Major Loring, but an intimation has been given to him of the necessity of his surrendering it; and as he is, I understand, at Ghent, your Lordship may perhaps think it advisable to direct a particular communication of your wishes to be made to him.

I have, &c.  
(signed) *J. C. Sherbrooke.*

No. 8.  
Despatch from  
Lieut.-Gen.  
Sir J.C. Sherbrooke,  
6 May 1817.

(Enclosure.)

LETTER from Mr. Felton to A. W. Cochran, Esq.

Sir,

Ascot, 21 April 1817.

MAJOR LORING being apprehensive that the representation stated to have been made by Mr. Whitcher to the Earl Bathurst on the subject of a grant made to Major Loring by Sir Gordon Drummond, of part of the lands which my associates and myself had prayed to be reserved to cover the anticipated increase in the quantity to be granted to us, may leave on the mind of his Lordship an impression injurious to Major Loring, and as I am extremely solicitous that in the prosecution of my just rights no injury should accrue to that gentleman, I take the liberty of stating, in confirmation of part of the conversation I had the honour of holding with you on the subject, that Major Loring, on understanding from my brother that his location of these lands, by depriving the associates of the lots reserved for them, greatly interfered with the arrangements for our settlement, voluntarily, and in the most liberal manner, offered to exchange them for others, and an arrangement was afterwards agreed on for that purpose.

Having thus vindicated the conduct of Major Loring subsequent to his acceptance of the grant in question, I feel it incumbent on me to beg your attention to the consequences of the precedent then furnished, and which entail on me the mortification of obtruding on you to represent the serious injury I am again exposed to by the grant lately made to Colonel Fulton, who has no motive to exchange lands for my accommodation, and whose representative is not furnished with the necessary powers to carry his own liberal intentions into effect.

I have, &c.  
(signed) *W. B. Felton.*

Enclosure.

— No. 9. —

COPY of a DESPATCH from Earl Bathurst to Lieut.-Gen.  
*Sir J. C. Sherbrooke.*

Sir,

Downing-street, 10 August 1817.

I HAVE the honour to acknowledge the receipt of your despatch of the 6th May, and to acquaint you that I have caused an intimation to be given to Lieut.-Col. Fulton, that as he is not resident on, or employed in the cultivation of the grant of land which has been made to him in the township of Ascot, that instructions had been given to you to resume it, but that if it were his intention to reside in Canada you would be authorized to make him a similar grant in another unobjectionable situation. I have therefore to desire that Colonel Fulton and Major Loring may have their lands exchanged for others equally advantageous to them.

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

No. 9.  
Despatch from  
Earl Bathurst to  
Lieut.-Gen.  
Sir J.C. Sherbrooke,  
10 August 1817.

— No. 10. —

COPY of a DESPATCH from Sir J. C. Sherbrooke to Earl Bathurst.

My Lord,

Quebec, 5 February 1818.

I HAVE the honour to enclose your Lordship copy of a letter addressed to my secretary by Mr. Felton, on receiving communication of your Lordship's despatch of 10 August 1817, acquainting me that Lieut.-Col. Fulton had been informed of the necessity of resuming the lands granted to him in the township of Ascot.

In recommending to your Lordship's favourable consideration this application of Mr. Felton for a grant of certain Crown Reserves in lieu of the lots held by

No. 10.  
Despatch from  
Sir J.C. Sherbrooke  
to Earl Bathurst,  
5 February 1818.

8 CORRESPONDENCE RESPECTING GRANTS OF LAND

No. 10.  
Despatch from  
Sir J. C. Sherbrooke  
to Earl Bathurst,  
5 February 1818.

Lieut.-Col. Fulton, I beg leave to add, in further support of it, that the patent for those lots having actually issued before I received your Lordship's first communication on the subject, and there being no means in law of cancelling it, or of destroying the title of Col. Fulton to these lands without his consent, which I understand he is determined to withhold, it becomes the more desirable that Mr. Felton should be compensated in the manner he proposes for the inconvenience he sustains from the grant to Colonel Fulton.

I have, &c.  
(signed) J. C. Sherbrooke.

(Enclosure.)

LETTER from Mr. Felton to A. W. Cochran, Esq.

Enclosure.

Sir, Quebec, 26 January 1818.  
I REQUEST you will be pleased to submit to his Excellency the Governor-in-chief, that feeling unwilling to occasion any further inconvenience to his Excellency on the subject of the lands granted to Lieutenant-Colonel Fulton, and being solicitous to extend my settlement without prejudice to that gentleman, I take the liberty of suggesting that, in the event of the Lieutenant-Colonel retaining his title to those lands, it will become equally convenient to me to have them replaced by a similar quantity of the Crown land next adjoining.

From the success of my efforts promising results as satisfactory to myself as useful to the public, I have no doubt that the Earl of Bathurst will be induced to extend the encouragement so liberally afforded me by His Majesty's Government; and as I have received the assurance that for an "especial purpose sanctioned by his Excellency the Governor," his Lordship will authorize the grant, I presume to hope his Excellency will condescend to refer my request to His Majesty's Ministers.

Ascot, 9 range,  
Nos. 1 & 8  
10 range, No. 6.  
11 — No. 4.  
12 — Nos. 1 & 8.

The lots intersecting my farms in the centre of my settlement, and of which the possession will much contribute to advance the prosperity of the country around, by enabling me to commence the establishment of a central village church, schoolhouse, &c., are noted in the margin.

Many other public lots, now unoccupied, could be settled to great advantage by English emigrants, if permission can be had to exchange them for other ungranted lands equal in quality in the same township.

I have, &c.  
(signed) W. B. Felton.

— No. 11. —

COPY of a DESPATCH from the Earl of Dalhousie to Earl Bathurst.

No. 11.  
Despatch from  
the Earl of  
Dalhousie to  
Earl Bathurst,  
10 September 1822.

My Lord, Quebec, 10 September 1822.  
MR. W. B. FELTON having applied to me for a further extension of the grant already made to him under the authority of different despatches from your Lordship, on the ground that he had expended in the cultivation of the land already assigned to him, the sum of money which His Majesty's Government required him to lay out as a condition of getting a further grant, I thought proper to refer the matter to council, whose report thereupon I have now the honour of enclosing to your Lordship; and in pursuance of the recommendation therein contained, I submit to your Lordship's favourable consideration this application for an additional grant, not exceeding the quantity of 5,000 acres, stated in the Report.

I have, &c.  
(signed) Dalhousie.

(Enclosure.)

EXTRACT of a REPORT made by a Committee of the whole Council, dated 24th January 1822: approved by his Excellency the Governor-in-chief in Council, 1st March 1822:

Enclosure.

UPON the memorial of William Felton, Esq., "The Committee, in obedience to your Excellency's reference of the 24th September last, have proceeded to take into consideration the several despatches and letters of Earl Bathurst of 22d May 1815, 9th December 1815, 7th December 1816, and 10th August 1817, from which it appears that Mr. Felton, in case of accomplishing his part of the engagement, by the expenditure of 20,000 £. in the cultivation of waste lands, should be favourably considered in such further grant as the Crown might see fit to make within the limit of 10,000 acres; and from an examination of Mr. Felton before this Board, the Committee has every reason to believe that the sum of 20,000 £. has, by Mr. Felton and his associates, been expended in the improvement and cultivation of the lands which he owns in the township of Ascot.

" At

“ At the same time it is not in the power of this Committee to interfere in this matter so as to advise your Excellency to make a grant of any specific quantity of acres to Mr. Felton. They can only recommend that the propriety of a further grant for such quantity, not exceeding 5,000 acres, as His Majesty in his bounty may see fit to grant to Mr. Felton, should be submitted to the consideration of His Majesty’s Ministers.”

No. 11.  
Despatch from  
the Earl of  
Dalhousie to  
Earl Bathurst,  
10 September 1822.

(Certified.)

(signed) *H. W. Ryland.*

Enclosure.

— No. 12. —

COPY of a DESPATCH from Earl *Bathurst* to the Earl of *Dalhousie*.

My Lord,

Downing-street, 29 November 1822.

I HAVE the honour to acknowledge the receipt of your Lordship’s despatch of the 10th September last, stating that Mr. W. B. Felton having applied for a further extension of his grant of land, on the ground that he had expended in the cultivation of the land already assigned to him the sum of 20,000 *l.*, and transmitting the report of the Executive Council, recommending that an additional grant, not exceeding 5,000 acres, should be made to Mr. Felton ; in reply, I have to approve of your Lordship making a further grant of 5,000 acres to Mr. Felton.

No. 12.  
Despatch from  
Earl Bathurst to  
the Earl of  
Dalhousie,  
29 November 1822.

I have, &c.

(signed) *Bathurst.*

— No. 13. —

COPY of a DESPATCH from Earl *Bathurst* to the Earl of *Dalhousie*.

My Lord,

Downing-street, 3 July 1826.

I HAVE the honour to transmit to your Lordship the copy of a letter which I have received from Mr. Felton, requesting, in consideration of the capital which he has expended and the fulfilment of the conditions under which his former grants of land were made to him, that he may receive such further encouragement by an extension to his lands as his means to improve them may appear to justify. I have to acquaint your Lordship, that under the circumstances stated by Felton, and as the extensive improvements which he has made give him strong claims to my favourable consideration, I have to authorize your Lordship to make him an additional grant, not exceeding 5,000 acres, with the usual reservations for his children and labourers.

No. 13.  
Despatch from  
Earl Bathurst to  
the Earl of  
Dalhousie,  
3 July 1826.

15 April 1826.  
6 May 1826.

With regard to Mr. Felton’s request to receive grants in free and common socage of the reserves which he now holds under lease from the Crown, if your Lordship should be of opinion that it would facilitate the improvement of the township, and is not liable to objection, I feel disposed to accede to the application.

I have, &c.

(signed) *Bathurst.*

LIST of the Documents referred to.

- (A.) Mr. Felton’s Letter to Lord Bathurst, 15 April 1826.—*Vide* Enclosure No. 1, in Despatch, 3 July, No. 13 - - - - - p. 10
- (B.) Ditto - - second Letter, 6 May 1826.—*Vide* Enclosure No. 2, in Despatch, 3 July, No. 13, - - - - - p. 10
- (C.) Lord Bathurst’s Despatch, 3 July 1826.—*Vide* No. 13 - - - - - p. 9
- (D.) Mr. Felton’s Letter of 8th May 1828, to Mr. Secretary Cochran - - - - - p. 15
- (E.) Schedule of Lands prayed for - - - - - p. 15
- (F.) List of Grants - - - - - p. 16
- (G.) Reference to the Attorney-general on the Report of Council - - - - - p. 16
- (H.) Attorney-general’s Draught and Reference to the Provincial Secretary - - - - - p. 16



(Enclosure 1, in No. 13.)

LETTER from Mr. *Felton* to Lord *Bathurst*.

(A.)

No. 13.  
Despatch from  
Earl Bathurst to  
the Earl of  
Dalhousie,  
3 July 1826.

Enclosure 1.

My Lord,

London, 15 April 1826.

IN an application to your lordship in the year 1814 for a grant of 10,000 acres of waste land in Lower Canada, I engage to employ a capital to the amount of 20,000*l.* in its cultivation and improvement. On obtaining the grant, I devoted myself to the fulfilment of my engagement, and by unwearied exertions for the last 11 years, I have formed a flourishing settlement, and converted a considerable extent of wilderness into productive and valuable farms. In subjecting myself to the privations and expenses inseparable from the establishment of my family in these remote wastes, my object was to form an estate for my children, but I have been compelled to part with a considerable portion of the grant in order to effect the prescribed duties of settlement, and in the course of the enterprise I sustained very severe losses by fire. As my capital has been employed very much to the advantage of the public (although I have reason to believe that it would have been invested with greater benefit to my family in the acquisition of land more accessible than that at the disposal of the Crown), and as I have acquired experience and facilities which will enable me to extend the improvement and settlement of waste lands with greater advantage than heretofore, I take the liberty of requesting your lordship will be pleased to continue the favour and encouragement afforded me by authorizing the Governor-in-chief to make such further extension of my grant as my means and services may appear to justify. At the same time I request that the usual reservations may be made for my children; and my labourers be provided with land as heretofore.

I have, &amp;c.

(signed) *W. B. Felton*.

(Enclosure 2, in No. 13.)

LETTER from Mr. *Felton* to Lord *Bathurst*.

— (B.) —

Enclosure 2.

My Lord,

London, 6 May 1826.

I BEG leave to make my very grateful acknowledgments to your lordship for acceding to my request for an additional grant of land in Lower Canada. Understanding that it is your lordship's intention to give up the Reserves of the Crown, in the view of encouraging the improvement of the townships, I take the liberty of again trespassing on your lordship's indulgence to represent, that having possession of six or seven lots of waste land, held under the lease of the Crown, and which I am desirous of bringing under cultivation, I request your lordship will be pleased to authorize the Governor-in-chief to receive the surrender of the leases, and re-grant the land in free and common socage.

I have, &amp;c.

(signed) *W. B. Felton*.

— No. 14. —

COPY of a DESPATCH from Lieutenant-General Sir *J. Kempt* to the Right honourable Sir *G. Murray*.

No. 14.  
Despatch from  
Lieut.-Gen.  
Sir J. Kempt to  
Right Hon.  
Sir G. Murray,  
5 February 1829.

Sir,

Castle of St. Lewis, Quebec, 5 February 1829.

EARL BATHURST having, in a despatch dated the 3d of July 1826, conveyed authority to the Earl of Dalhousie to grant 5,000 acres of land to the Hon. W. B. Felton, the Commissioner of Crown Lands in the province, I have the honour to inform you that he has lately applied to me for the same; and, the despatch having stated that this grant should be made to him with the usual reservations for children and labourers, he has also applied to me for 1,200 acres for each of his children, nine in number.

I conceive that the despatch above alluded to sufficiently authorizes the grant of 5,000 acres to Mr. Felton; but, as it can scarcely be inferred from the terms "with the usual reservations for children and labourers," that it was the intention to confer a grant to such an extent upon his children, I have informed him that I could not give it without a special authority from you.

The usual allowance to an ordinary settler, when lands were granted, has been 100, or at most 200 acres; and 1,200 is the utmost extent which the Governor is authorized by his instructions to grant to any one individual. Mr. Felton states, that his object in settling in this country was to obtain lands and form an estate for his family; and that, to accomplish this, he has already expended a very large sum of money; but as, besides this grant of 5,000 acres, he has already, on two former occasions, received altogether land to the extent of 5,541 acres, and as the present

present application for his children amounts to 10,800 more, I feel that I could not, without the express sanction of His Majesty's Government, grant so large a quantity of land to any one family; and I therefore request that you will be pleased to inform me, whether you would authorize me to comply with his request.

I have, &c.  
(signed) *James Kempt.*

No. 14.  
Despatch from  
Lieut.-Gen.  
Sir J. Kempt to  
Right Hon.  
Sir G. Murray,  
5 February 1829.

— 15. —

COPY of a DESPATCH from Sir G. Murray to Lieut.-General Sir J. Kempt.

Sir,

Downing-street, 11 May 1829.

I HAVE the honour to acknowledge the receipt of your despatch of the 5th February last, requesting instructions as to complying with an application which you have recently received from Mr. Felton, for grants of 1,200 acres of land for each of his children, amounting in the whole to 10,800 acres. I am well aware that Mr. Felton has expended a large capital in improving the grants of land which he has received; but taking also into my consideration the extent of those grants, I do not feel myself justified in authorizing an addition of more than 200 acres to Mr. Felton's grant for each of his children.

I have, &c.  
(signed) *G. Murray.*

No. 15.  
Despatch from  
Sir G. Murray  
to Lieut.-Gen.  
Sir J. Kempt,  
11 May 1829.

— No. 16. —

COPY of a DESPATCH from Mr. Secretary Stanley to Lord Aylmer;  
(with Enclosures.)

My Lord,

Downing-street, 1 April 1834.

I HAVE the honour to acquaint you, that among the papers lately sent home from Lower Canada for The House of Commons, my attention has been called to a Return of all grants of land made to members of the Legislative Council up to the 1st July 1832, which, together with other papers required by The House, reached this Department, in your Lordship's despatch, No. 68, of the 10th July, on the 9th September last.

The point which I consider to require immediate notice, and upon which I desire to receive information with the least possible delay, is the quantity of land which is stated to have been granted to Mr. Felton, the Commissioner of Crown Lands, and to his family, and which would appear by the abovementioned return, to amount to upwards of 23,000 acres. On a reference to the correspondence which is to be found in this Department, it seems that the number of acres which the Secretary of State from time to time authorized to be granted to Mr. Felton and his family, differ in several respects from the numbers stated in the Return now furnished for The House of Commons. I enclose a statement from which this will clearly appear. But the most important circumstance is, that Mr. Felton having applied to Sir J. Kempt in 1829 for a grant of 1,200 acres to each of his children, Sir James, in transmitting to the Secretary of State this application, expressed his opinion that the prayer of the petition ought not to be complied with, and Sir George Murray decided that the indulgence to be given should be limited to a grant of 200 acres to each of his children. How it has happened that 1,200 acres have been granted to each child after so express a denial of what could not but be considered as a most unreasonable application on the part of Mr. Felton, considering the quantity of land which he had already received, I am at a loss to explain. I must, therefore, desire that your Lordship will call upon Mr. Felton for the necessary explanation on this point, and that if the grants have not actually issued, you will take care they are withheld; for so large a deviation from the instructions of the Secretary of State cannot possibly be sanctioned. Upon the whole subject, however, I trust that some error will be found to exist, and that I shall not be called upon to signify that decision which, if the facts should be such as they at this moment appear, I should be bound to adopt in a case which admits of so little indulgence.

I have, &c.  
(signed) *E. G. Stanley.*

No. 16.  
Despatch from  
Mr. Sec. Stanley  
to Lord Aylmer,  
1 April 1834.

12 CORRESPONDENCE RESPECTING GRANTS OF LAND

Enclosure 1, in No. 16.

No. 16.  
Despatch from  
Mr. Sec. Stanley  
to Lord Aylmer,  
1 April 1834.

EXTRACT of RETURN, for The House of Commons, of Lands Granted to Members of the Legislative Council of *Lower Canada* to 1st July 1832, containing such parts of that Return as relate to Mr. *Felton* and his Family.

(Abstract from Parliamentary Paper, No. 149, ordered to be printed  
24th March 1834.)

Enclosure 1.

Names of Councillors and Children.	Quantity of Land Granted.	DATE of the GRANT.
W. B. Felton, Esq. - - -	600 acres - - -	29th September 1816.
Ditto - - - - -	2,941 — - -	1st July 1818.
Ditto - - - - -	5,200 — - -	31st May 1824.
Ditto - - - - -	5,000 — - -	2d March 1831.
Ditto - - - - -	400 — - -	24th May 1831.
Children of ditto:		
W. L. P. Felton - - -	1,000 — - -	— —
Eliza Felton - - -	1,200 — - -	— —
Charlotte Felton - - -	1,200 — - -	— —
Fanny Felton - - -	1,200 — - -	— —
Maria Felton - - -	1,200 — - -	— —
Matilda Felton - - -	1,200 — - -	— —
Louisa Felton - - -	1,200 — - -	— —
Octavia Felton - - -	1,200 — - -	— —
Total - - -	23,541 acres.	

Enclosure 2, in No. 16.

Enclosure 2.

SUBSTANCE of DESPATCHES from the Secretary of State, authorizing Grants of Land to be made to Mr. *Felton* and his Family.

DATE of DESPATCH.	Grant to be made to Mr. Felton and his Children.	REMARKS.
Lord Bathurst, 22d May 1815.	to Mr. Felton - 2,000 Acres.	- - This despatch also authorized 500 acres to be granted to each of the following gentlemen: Mr. T. Felton, Mr. C. Felton, Mr. W. Witcher, Mr. C. Witcher; but as none of them are children of Mr. Felton, the grants to them are not stated in the preceding column.
Lord Bathurst, 7th December 1816.	to Mr. Felton - 3,000	- - This despatch authorized a grant of 700 to each of the above-mentioned gentlemen.
Lord Bathurst, 29th November 1822.	to Mr. Felton - 5,000	
Lord Bathurst, 3d July 1826	to Mr. Felton - 5,000	
Sir G. Murray, 11th May 1829.	- - to Mr. Felton's children 200 acres each. The number of children by the Return for Parliament appears 8 - 1,600	
TOTAL authorized by Secretary of State - }		16,600

— No. 17. —

COPY of a DESPATCH from Lord *Aylmer* to Mr. Secretary *Stanley* ;  
(with Enclosures.)No. 17.  
Despatch from  
Lord Aylmer to  
Mr. Sec. Stanley,  
3 July 1834.

Sir, Castle of St. Lewis, Quebec, 3 July 1834.

WITH reference to your despatch of the 1st of April last, No. 49, calling for an explanation from Mr. Felton, the Commissioner of Crown lands, regarding certain grants of Crown lands in this province to him and his children, which grants have been found to exceed very considerably the amount authorized by His Majesty's Government, I have now the honour of transmitting for your information Mr. Felton's answer to my reference to him on that subject, through my civil secretary.

Mr. Felton's explanation, and its accompanying documents, will, I trust, be found sufficient to answer the purpose of your inquiry.

I have to observe, that the circumstances connected with this subject having occurred previous to my assumption of the government of this province, I have no knowledge of them besides what is derived from the documents now transmitted.

In the despatch to which I have now the honour of returning an answer, I am directed to "take care to withhold the grants (to the children of Mr. Felton) if not already issued."

These grants having been already issued (in November 1830), I shall now await your further directions before requiring the surrender of them by the parties concerned.

Besides the documents furnished by Mr. Felton, I transmit herewith a statement and copy of a letter explanatory of it, from the secretary of the province, of the various grants of Crown lands which have been issued to Mr. Felton and his family; it will be found to vary in some particulars of dates, and numbers of acres, from the statement which accompanied your despatch of the 1st of April, and I therefore return the latter in order that the two statements may be compared. The secretary of the province tells me he is at a loss to account for their discrepancy.

In the statement of the secretary of the province abovementioned, there appears a grant to Mr. Felton during my administration of 600 acres, as late purser in the Royal Navy. That grant was issued upon the recommendation of the Executive Council (a copy of whose report is herewith transmitted), and I take leave to observe, that had I been then aware, which I was not, of the large grants already obtained by Mr. Felton, I should not have given my sanction to that recommendation without reference to His Majesty's Government.

I have, &c.  
*Aylmer.*

(Enclosure 1, in No. 17.)

LETTER from Mr. *Felton* to the Civil Secretary.

Sir, Quebec, 1 July 1834.

I AM honoured with your communication of 20th May, transmitting to me, by order of his Excellency the Governor-in chief, a despatch from the Right Hon. Mr. Stanley, calling for explanation regarding grants of Crown lands conferred upon me and my family; and in obedience to my Lord Aylmer's commands, I beg leave to submit a statement of all the circumstances, as far as is consistent with my knowledge of the proceedings, and with the documents existent in the public offices.

Enclosure 1.

## STATEMENT.

The first points in Mr. Stanley's despatch on which it appears to be desirable to give information, is the course of official proceedings had in relation to making the grant to Mr. Felton's family; and the second is the reasonableness of the application on the part of Mr. Felton, considering the quantity of land which he had already received, and the circumstances under which the grant of 1,200 acres instead of 200 acres was made to Mr. Felton's children, notwithstanding the directions in the Secretary of State's despatch, framed upon the suggestion of Sir James Kempt.

No. 1.  
Nos. 2, 3, 4, 5, 6,  
and 7.No. 8.  
No. 9.Vide Enclosure  
No. 1 in Mr. Sec.  
Stanley's despatch,  
1 April 1834.

No. 10.

No. 17.  
Despatch from  
Mr. Sec. Stanley,  
to Lord Aylmer,  
3 July 1834.

Enclosure 1.

The official proceedings were as follows :

On the 15th April 1826, Mr. Felton being in England, applied to Lord Bathurst for an additional grant of land for himself, and the usual reservation for each of his children, with an allowance of land for his labourers as heretofore.

On the 6th May 1826, he further applied for permission to have the Crown Reserves interspersed amongst his land included in the grant.

On the 3d July 1826, Lord Bathurst directs a grant of 5,000 acres to Mr. Felton, with the usual reservations for his children and labourers, including the grant of the Crown Reserves as prayed for.

On the 8th May 1828, Mr. Felton applies for patents for 5,000 acres of land for himself, and 1,200 for each of his children, and encloses a schedule of the particulars of the required grants, and subsequently to the foregoing furnishes a statement of precedents, showing that the usual extent of grants to children had been 1,200 acres each.

On the 2d March 1829, the Executive Council reports in favour of the grant of 5,013 acres to Mr. Felton, and on the 9th March reference is made to the Attorney-general to prepare a draught of patents for 5,013 acres according to the tenor of the report, but no authority appears to have been given to include the grants to Mr. Felton's children; in consequence, it is presumed, of Sir James Kempt having determined upon communicating with Sir George Murray for further instructions on that subject. The reply to Sir James Kempt's letter was received on the 7th August 1829, when Colonel Yorke, the civil secretary, transmits to Mr. Felton a copy of the despatch from Sir George Murray, dated 11th May 1829, sanctioning the grant of 200 acres only to each of the children, as suggested by Sir James Kempt.

On the 25th May 1830, the Attorney-general sends his draught of the patents to Colonel Yorke; this draught contains the grant to the children as prayed for by Mr. Felton, and it remains in Colonel Yorke's possession until the 18th August, when it is transmitted to the secretary of the province, with the order for engrossment indorsed upon it by Colonel Yorke. The patents not being engrossed in time to receive Sir James Kempt's signature, are, with several others similarly situated, presented for the signature of his Excellency Lord Aylmer, 20th November 1830.

The *official* view of the subject is, that an error must have been committed in the office of the Attorney-general, whose draught does not correspond with the report of council, and reference from the civil secretary, as there is no document to be found authorizing the Attorney-general to insert the grant to the children, nor any communication on the subject between the 9th November 1829 and the 25th May 1830, the interval employed in the preparation of the draughts.

The Commissioner of Crown Lands feels it is duty to observe that as a public officer, connected with the management of the Crown lands, he had no agency nor influence, directly nor indirectly, in forwarding the patents; that in the interval from the 25th May to 11th August 1830, the Attorney-general's draught was in Colonel Yorke's possession, and that no other person had or could have access to it, and that it was only when the patent was ordered to be prepared in August 1830, a few months before the departure of Sir James Kempt for England, that Mr. Felton became aware of the grants being made to the full extent of his petition. The next point connected with his despatch is the reasonableness of Mr. Felton's application, and the circumstance under which the Secretary of State's acquiescence in Sir James Kempt's suggestion was not acted upon.

In referring to Mr. Felton's claims, as set forth in his application to my Lord Bathurst, and as represented to Sir James Kempt, it may possibly appear that Sir James Kempt took a different view of the case in 1830, when his Excellency was about to resign the government of the colony, from that which he entertained on first assuming it in 1828; and it is probable that Sir James Kempt found cause to change his opinion, that the prayer of Mr. Felton's petition ought not to be complied with.

When Mr. Felton received Colonel Yorke's letter of 7th August 1829, announcing Sir George Murray's decision, he immediately waited on his Excellency Sir James Kempt, and respectfully expostulated on the hardship and injustice of refusing to him, who had fairly and honourably performed all the conditions of his engagements to the utmost letter, by residing upon his grants, that award to which he considers his children entitled from the privations they had suffered, and the application of their patrimony to purposes from which the government derived more extensive advantage than themselves; at the same time pointing out that Mr. Felton had abstained from covering his acquisitions by the names of third parties as others had done, preferring to have the names of his family inserted in the patents. And when he ascertained, a short time before the departure of Sir James Kempt, that the extent of the grant corresponded with his pretensions, he was convinced that Sir James had been satisfied with the justice of his claims, and that in acceding to the prayer of the petition, his Excellency had given a proof of the good feeling he condescended to entertain towards him personally, as well as for his character and public services. The Right honourable the Secretary of State, in terming Mr. Felton's request unreasonable, will not probably have adverted to the peculiar circumstances under which it was made. The clamour of factious persons may mislead Mr. Stanley as it misled Sir James Kempt, but if the Secretary of State will cause full inquiry to be instituted, he will find that of all the extensive grantees of the Crown in this colony, Mr. Felton is the only one who brought a capital with him from England, to be applied exclusively to the improvement of his grant, and that he is a solitary example of the *bonâ fide* and minute performance of the engagements under which he occupied the grant.

He will further learn, that by Mr. Felton's exertions and expenditure, a flourishing country has been created where the waste would have at this hour reigned, as on other extensive grants; and that the capital which has produced effects so beneficial to the government and the country, could have been much more advantageously employed in the purchase of other lands, than in the acquisition and improvement of grants from the Crown.

As far as His Majesty's Government is concerned, it is clear, that the clamour of the ignorant and disaffected, notwithstanding the benefits accruing to the province from the improvements of the townships, and the introduction of settlers of loyal feelings and steady habits, by the exertions and at the expense of Mr. Felton, have been cheaply purchased by the sacrifice of a few thousand acres of waste lands, which, under other circumstances, would have either remained uncleared and unimproved, or have been tenanted by a horde of disaffected and disloyal squatters.

I have, &c.,  
(signed) *William B. Felton.*

No. 17.  
Despatch from  
Lord Aylmer to  
Mr. Sec. Stanley,  
3 July 1834.

Enclosure 3.

(Enclosure 4, in No. 17.)

— (D.) —

LETTER from Mr. Felton to Mr. Secretary Cochran.

Sir,

Quebec, 8 May 1828.

I BEG the favour of you to request his Excellency the Governor-in-chief to be pleased to give instructions that a patent may issue for the grant of land authorized to be made to me and my children by the Earl Bathurst's despatch of the 3d July 1826.

The enclosed schedule exhibits the particulars of the lands which I am desirous of obtaining, to the extent of 5,000 acres for myself, and of 1,200 acres to each of my children.

I have, &c.  
(signed) *W. B. Felton.*

Enclosure 4.

(Enclosure 5 a, in No. 17.)

— (E.) —

LIST of LANDS petitioned for by *William Bowman Felton*, for Himself and Nine Children, as ordered in Lord *Bathurst's* Despatch of the 3d July 1826.

Enclosure 5 a.

	Lots,	Acres.
William Bowman Felton - - Ascot	No. 19 - - - - - 2d range	200
	3, 4, 5 - - - - -	600
	8, 14, 26, 27 & 28 - - - - -	1,000
	9 - - - - -	200
	12 & 28 - - - - -	400
	9, 16, 23 - - - - -	600
	8 (65 ac.) - - - - -	165
	4, 5, 6 (214 ac.) - - - - -	614
Brompton -	22 (272 ac.) - - - - -	272
Hatley -	28 - - - - -	200
	26 (248 ac.) 28 (166 ac.) - - - - -	414
Orford -	10 (148 ac.) - - - - -	148
	8 - - - - -	200
William Locker Pickmore Felton, Orford	{ 16, 17, 18, 19 (289 ac.) } - - - - -	1,135
	{ 20 (246 ac.) - - - - - } - - - - -	
Eliza - - - - - Orford	{ 16, 17, 18, 19, 20, 21 (267 ac.) - - - - - } - - - - -	1,267
Anne - - - - - Orford	{ 16, 17, 18, 19, 20, 21 (220 ac.) - - - - - } - - - - -	1,220
Charlotte - - - - - Orford	{ 16, 17, 18, 19, 20, 21 (195 ac.) - - - - - } - - - - -	1,195
Fanny - - - - - Orford	{ 22 (172 ac.) 23 (173 ac.) } - - - - -	
	{ 24 (188 ac.) 25 (223 ac.) } - - - - -	
	{ 26 (255 ac.) 27 (250 ac.) } - - - - -	1,260
Maria - - - - - Orford	No. 16, 17, 18, 19, 20, 21 - - - - -	1,200
Matilda - - - - - Orford	{ 22, 23, 24, 25, 26, 27 (182 ac.) - - - - - } - - - - -	1,182
Louisa - - - - - Orford	{ 16 (220 ac.) 17, 18, 19, 20, 21 - - - - - } - - - - -	1,220
Octavia - - - - - Orford	{ 22, 23, 24, 25, 26, 27, (182 ac.) - - - - - } - - - - -	1,182

(signed) *William B. Felton.*

No. 17.  
Despatch from  
Lord Aylmer to  
Mr. Sec. Stanley,  
3 July 1834.

Enclosure 5 b.

(Enclosure 5 b. in No. 17.)

— (G.) —

EXTRACT of a REPORT made by a Committee of the whole Council, dated the 25th February 1829, and approved by his Excellency the Administrator of the Government in Council, the 2d March 1829.

THE despatch of the late Secretary of State, Lord Bathurst, directs that a grant should issue in favour of Mr. Felton for 5,000 acres, to which of course there can be no objection, and your Excellency having been pleased to refer to this Committee to report whether Mr. Felton's request to include the reserves which he now holds under lease from the Crown within the said grant, would facilitate the improvement of the township, and is not liable to objection, the Committee do further report, that it would facilitate the improvement of the township, and it does not appear to this Committee that a grant of these lots to Mr. Felton, as a part of the above-mentioned 5,000 acres, is liable to objection.

(Certified.)

(signed) *Herman W. Ryland.*

(Enclosure 6, in No. 17.)

— (F) —

PRECEDENTS of the Extent of GRANTS to CHILDREN.

Enclosure 6.

Aston, in 1806 :—Susan Finlay, 1,200 acres ; Margaret, 1,200 acres ; Elizabeth, 1,200 acres ; Robert, 1,200 acres ; Charles, 1,200 acres ; George, 1,200 acres.  
Kinsey, in 1803 :—Family of Dr. Longmore, six children, 1,200 acres each.  
Newport, in 1803 :—Family of Mr. N. Taylor, nine children, 1,200 acres each.  
Hull :—Family of P. Wright, in 1806, each 1,200 acres.  
Farnham, 1809 :—Family of the Allsops' children, six each, 1,200 acres.  
Halifax, W. F. Scott, in 1805 :—Anna Maria Scott, 1,200 acres ; Harriet Sophia, 1,200 acres ; Robert F., 1,200 acres ; Bolton John Scott, 1,200 acres ; Louisa Frances, 1,200 acres ; Salisbury Emma, 1,200 acres.

(Enclosure 7, in No. 17.)

— (H.) —

ATTORNEY-GENERAL'S DRAUGHT of LETTERS PATENT, granting to *William Bowman Felton*, Esq., and others, certain Lots and parts of Lots of Land in the Townships of Ascot, Brompton, Flatley, Orford, Acton, Roxton, Chester and Blandford.

Enclosure 7.

Letters Patent, to be engrossed accordingly, by order of his Excellency the administrator.

Quebec, 18 August 1830.

*C. Yorke*, Secretary.

Province of Lower Canada.

George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith.

To all to whom these presents shall come, or whom the same may concern, greeting :

Whereas, upon the petitions of Our loving subjects William Bowman Felton, of Sherbrooke, in the inferior district of St. Francis, in Our district of Three Rivers, in our province of Lower Canada, esquire, and William Locker Pickmore Felton, Eliza Felton, Anne Felton, Charlotte Felton, Fanny Felton, Maria Felton, Matilda Felton, Louisa Felton and Octavia Felton, of the same place ; Benjamin Rexford, Ephraim Wadley, Thomas Wadley, George Robinson, William Robinson, George Hart, Simon Kezar, Daniel Lowell, Simon Bean, Artemas Hitchcock, Abraham Rexford, Miram Rexford, Thomas Moore, Thomas Moshure, Samuel Kezar, Charles Burbank, Alphonso Burbank, John Langmead, George Maunsey, Charles Drummond, Boynton Johnson, Elliot P. Sawyer, Ezra Cole, Samuel Ryder, Samuel Rexford, Oris Turner, Oris Turner the younger, Colby Abbot, William Brown, William Peters, Edward Wadley, Stephen Cod, Thomas M. Abbot, Moses Bacon the younger, Benjamin Wadley,

Wadley, Ira Chamberlain, William Chamberlain, Joseph Alger, David Jewit, Luther Rexford, James Brown, Edward Williamson and Joseph Mirick, of the township of Hatley, situated partly in our district of Montreal, and partly in our said district of Three Rivers; Joseph Rousseau, John A. Nichols and Oliver Edwards, of the township of Orford, situated partly in our said district of Montreal and partly in our said district of Three Rivers; Neal Horan, James Horan, Joseph H. Ferril, John M'Carthy, Archibald M'Carthy, William Dodds, James Parks, James Dundern, Nathaniel Kendal, William Johnson, Francis Wilcox, Francis Wilcox the younger, and James Duggan, of the township of Ascot, in our said district of Three Rivers; Pierre Robitaille, Gamelin Goucher, Alphonse Dumont and Louis Bourgeois, of the township of Acton, situated partly in our said district of Montreal and partly in our said district of Three Rivers; Iran Rock Rolland, of the city of Montreal in our said district of Montreal, esquire; Augustin Germain, of the township of Chester, in our said district of Three Rivers; John Stewart, of the city of Quebec, in our district of Quebec, in our said province, esquire, and of Charles Héon, Louis Héon, Charles Thibodeau, Hubert Poirier, and Alexis Le Blanc and Alexis Provancher, of the township of Blandford, in our said district of Three Rivers, it has been judged reasonable and advisable by our administrator of the government of our province of Lower Canada, by and with the advice and consent of our Executive Council of our said province, that we should grant to our said loving subjects hereinbefore named, severally and respectively, and to their respective heirs and assigns, in free and common socage, certain lots, half lots, tracts and parcels of our waste land hereinafter mentioned and described; upon which lots, half lots, tracts and parcels of land it has been certified to our said administrator of our government, and our said Executive Council, that our said loving subjects hereinbefore named have respectively erected dwelling-houses, and have caused the same to be occupied, and have made or caused to be made the clearing, cultivation and improvement in this behalf required, to entitle them respectively to a grant of the said premises. Now know ye, that We, of our especial grace, certain knowledge and mere motion, for Us, our heirs and successors, have given, granted and confirmed, and by these presents do give, grant and confirm to the said William Bowman Felton, his heirs and assigns, for ever, all those lots, tracts or parcels of land commonly known and distinguished by the names and description of the Lot No. 19 in the second range of lots in the said township of Ascot, containing 200 acres of land, and the usual allowance for highways; Lots numbered 3, 4 and 5, in the third range of lots in the said last-mentioned township, each containing 200 acres of land, and the usual allowance for highways; Lots Nos. 8, 14, 26, 27 and 28, in the fourth range of lots in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways; Lot No. 9, in the fifth range of lots in the same last-mentioned township, containing 200 acres of land, and the usual allowance for highways; Lots Nos. 12 and 28, in the sixth range of lots in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways; Lots Nos. 9, 16 and 23, in the seventh range of lots, in the same last-mentioned township, containing each 200 acres of land, and the usual allowance for highways; Lot No. 8, in the twelfth range of lots, in the same last-mentioned township, containing 165 acres of land, and the usual allowance for highways; Lots Nos. 4 and 5, in the thirteenth range of lots, in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways; Lot No. 6, in the said last-mentioned range of lots, containing 214 acres of land, and the usual allowance for highways; Lot No. 22, in the fourth range of lots, in the township of Brompton, situated partly in the district of Montreal and partly in the district of Three Rivers, containing 272 acres of land, and the usual allowance for highways; Lot No. 28, in the fourth range of lots, in the said township of Hatley, containing 200 acres of land, and the usual allowance for highways; Lot No. 26, in the sixth range of lots, in the same last-mentioned township, containing 248 acres of land, and the usual allowance for highways; Lot No. 28, in the same last-mentioned range of lots, containing 166 acres of land, and the usual allowance for highways; Lot No. 10, in the first range of lots, in the said township of Orford, containing 148 acres of land, and the usual allowance for highways; and Lot No. 8, in the second range of lots, in the same last-mentioned township, containing 200 acres of land, and the usual allowance for highways.

To the said William Locker Pickmore Felton, his heirs and assigns for ever, all those certain lots, tracts, or parcels of land, situated in the said township of Orford, commonly known and distinguished by the names and description of Lots Nos. 16, 17 and 18, in the sixth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; Lot No. 19 in the same last-mentioned range of lots, containing 289 acres of land, and the usual allowance for highways; and Lot No. 20 in the same last-mentioned range of lots, containing 246 acres of land, and the usual allowance for highways.

To the said Eliza Felton, her heirs and assigns for ever, all those certain lots, tracts, or parcels of land, situated in the said township of Orford, commonly known and distinguished by the names and descriptions of Lots Nos. 16, 17, 18, 19 and 20, in the seventh range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and Lot No. 21 in the same last-mentioned range of lots, containing 267 acres of land, and the usual allowance for highways.

To the said Anne Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land, situated in the said township of Orford, commonly known and distinguished by the names and descriptions of Lots Nos. 16, 17, 18, 19 and 20, in the eighth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and Lot No. 21 in the said last-mentioned range of lots, containing 220 acres of land, and the usual allowance for highways.

No. 17.

Despatch from  
Lord Aylmer to  
Mr. Sec. Stanley,  
3 July 1834.

Enclosure 7.



No. 17.  
Despatch from  
Lord Aylmer to  
Mr. Sec. Stanley,  
3 July. 1834.

Enclosure 7.

To the said Charlotte Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Orford, commonly known and distinguished by the names and descriptions of Lots Nos. 16, 17, 18, 19 and 20, in the ninth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and of Lot No. 21, in the same last-mentioned range of lots, containing 195 acres of land, and the usual allowance for highways.

To the said Fanny Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Orford, commonly known and distinguished by the name and description of Lot No. 22, in the said ninth range of lots in the said township, containing 172 acres of land, and the usual allowance for highways; of Lot No. 23 in the same last-mentioned range of lots, containing 173 acres of land, and the usual allowance for highways; of Lot No. 24 in the said last-mentioned range of lots, containing 188 acres of land, and the usual allowance for highways; and Lot No. 25 in the same last-mentioned range of lots, containing 223 acres of land, and the usual allowance for highways; of Lot No. 26, in the same last-mentioned range of lots, containing 255 acres of land, and the usual allowance for highways; and of Lot No. 27, in the same last-mentioned range of lots, containing 250 acres of land, and the usual allowance for highways.

To the said Maria Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Orford, commonly known and distinguished by the names and descriptions of Lots Nos. 16, 17, 18, 19, 20 and 21, in the seventeenth range of lots in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways.

To the said Matilda Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Orford, commonly known and distinguished by the names and descriptions of Lots Nos. 22, 23, 24, 25 and 26, in the said seventeenth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and of Lot No. 27, in the same last-mentioned range of lots, containing 182 acres of land, and the usual allowance for highways.

To the said Louisa Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Orford, commonly known and distinguished by the name and description of Lot No. 16, in the eighteenth range of lots in the said township, containing 220 acres of land, and the usual allowance for highways; and of Lots Nos. 17, 18, 19, 20 and 21, in the said last-mentioned eighteenth range of lots, each containing 200 acres of land, and the usual allowance for highways.

To the said Octavia Felton, her heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Orford, commonly known and distinguished by the names and descriptions of Lots Nos. 22, 23, 24, 25 and 26, in the said eighteenth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and of Lot No. 27, in the same last-mentioned range of lots, containing 182 acres of land, and the usual allowance for highways.

To the said Benjamin Rexford, his heirs and assigns for ever, all that certain half lot, tract or parcel of land, situated in the said township of Hatley, commonly known and distinguished by the name and description of the West-half of Lot No. 6, in the fourteenth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Ephraim Wadley, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 8, in the ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Thomas Wadley, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 8, in the said ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said George Robinson, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 9, in the said ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said William Robinson, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 10, in the said ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said George Hart, his heirs and assigns for ever, all that half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 10, in the said ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Simon Kezar, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 26, in the second range of lots in the said township, containing 200 acres of land, and the usual allowance for highways.

To

To the said Daniel Lowell, his heirs and assigns for ever, all that certain half lot, tract or parcel of land, situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 9, in the tenth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

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To the said Simon Bean, his heirs and assigns for ever, all that certain lot, tract or parcel of land, situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 28, in the first range of lots in the said township, containing 200 acres of land, and the usual allowance for highways.

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To the said Artemas Hitchcock, his heirs and assigns for ever, all that certain half lot, tract or parcel of land, situated in the said township of Hatley, commonly known and distinguished by the name and description of the West-half of Lot No. 9, in the eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Abraham Rexford, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 9, in the seventh range of lots, in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Miram Rexford, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of the said Lot No. 9, in the tenth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Thomas Moore, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 8, in the said tenth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Thomas Moshure, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of the said Lot No. 9, in the seventh range or lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Samuel Kezar, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 9, in the sixth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Charles Burbank, his heirs and assigns, for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 2, in the fifth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Alphonso Burbank, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of the said Lot No. 2, in the fifth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said John Langmead, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 2, in the seventh range of lots in the said township, containing 200 acres of land, and the usual allowance for highways.

To the said George Maunsey, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 9, in the ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Charles Drummond, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 19, in the said sixth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Boynton Johnson, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of lot No. 9, in the said fourteenth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Elliot P. Sawyer, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 22, in the said seventh range of lots in the said township, containing 135 acres of land, and the usual allowance for highways; and Lot No. 23, in the said last-mentioned range of lots, containing 126 acres of land, and the usual allowance for highways.

To the said Ezra Cole, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name

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name and description of Lot No. 21, in the said seventh range of lots in the said township, containing 150 acres of land, and the usual allowance for highways.

To the said Samuel Ryder, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 14, in the ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Samuel Rexford, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot N. 7, in the sixteenth range of lots in the said township, containing 69 acres of land, and the usual allowance for highways.

To the said Oris Turner, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 14, in the eighth range of lots in the said township, containing 200 acres of land, and the usual allowance for highways.

To the said Oris Turner the younger, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 12, in the said eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Colby Abbot, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 17, in the said seventh range of lots in the said township, containing 200 acres of land, and the usual allowance for highways.

To the said William Brown, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the north half of Lot No. 3, in the third range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said William Peters, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the south half of the said Lot No. 3, in the third range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Edward Wadley, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 7, in the said fifth range of lots in the said township, containing 53 acres of land, and the usual allowance for highways.

To the said Stephen Call, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the same township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 14, in the said ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Thomas M. Abbot, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 23, in the said fifth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Moses Bacon the younger, his heirs and assigns for ever, all that certain half lot, tract or parcel of land, situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 5, in the sixth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Benjamin Wadley, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 23, in the said fifth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Ira Chamberlain, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 13, in the said ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said William Chamberlain, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of Lot No. 14, in the said fourteenth range of lots in the said township, containing 124 acres of land, and the usual allowance for highways.

To the said Joseph Alger, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 10, in the said eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said David Jewit, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 14, in the said seventh range of

of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Luther Rexford, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 9, in the said fourteenth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said James Brown, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 19, in the said seventh range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Edward Williamson, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the east half of Lot No. 19, in the said seventh range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Joseph Mirick, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Hatley, commonly known and distinguished by the name and description of the west half of Lot No. 16, in the said eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Joseph Rousseau, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Orford, commonly known and distinguished by the name and description of the north-east half of Lot No. 17, in the fifth range of lots in the said township, containing 93 acres of land, and the usual allowance for highways.

To the said John A. Nichols, his heirs and assigns for ever, all that certain half lot, tract or parcel of land, situated in the said township of Orford, commonly known and distinguished by the name and description of the east half of Lot No. 10, in the third range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Oliver Edwards, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Orford, commonly known and distinguished by the name and description of the west half of Lot No. 10, in the said third range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Neal Horan, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the east half of Lot No. 14, in the eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said James Horan, his heirs and assigns, for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the west half of the said Lot No. 14, in the eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Joseph H. Terril, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of Lot No. 2, in the said eighth range of lots in the said township, containing 75 acres of land, and the usual allowance for highways.

To the said John M'Curdy, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the east half of Lot No. 2, in the fifth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Archibald M'Curdy, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the west half of the said Lot No. 2, in the fifth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said William Dodds, his heirs and assigns for ever, all that certain lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of Lot No. 11, in the eleventh range of lots in the said township, containing 124 acres of land, and the usual allowance for highways.

To the said James Parks, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the east half of Lot No. 15, in the ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said James Dundern, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the west half of the said Lot No. 15, in the ninth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Nathaniel Kendal, his heirs and assigns for ever, all that certain half lot, tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the east half of Lot No. 7, in said eighth range

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of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said William Johnson, his heirs and assigns for ever, all that certain half lot tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the west half of the said Lot No. 7, in the eighth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said François Wilcox, his heirs and assigns for ever, all that certain half lot tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the east half of Lot No. 2, in the seventh range of lots, in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said François Wilcox the younger, his heirs and assigns for ever, all that certain half lot tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the west half of the said Lot No. 2, in the seventh range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said James Duggan, his heirs and assigns for ever, all that certain half lot tract or parcel of land situated in the said township of Ascot, commonly known and distinguished by the name and description of the west half of Lot No. 7, in the fourth range of lots in the said township, containing 100 acres of land, and the usual allowance for highways.

To the said Pierre Robitaille, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Acton, commonly known and distinguished by the name and description of Lots Nos. 42 and 43, in the seventh range of lots in the said township of Acton, each containing 200 acres of land, and the usual allowances for highways; and of Lots Nos. 41, 42 and 43, in the eighth range of lots in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways.

To the said Gamelin Goucher, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Acton, commonly known and distinguished by the names and description of Lots Nos. 38 and 40, in the fifth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and of Lots Nos. 39 and 40, in the sixth range of lots in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways.

To the said Alphonso Dumont, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Acton, commonly known and distinguished by the name and description of Lot No. 41, in the fifth range of lots in the said township, containing 200 acres of land, and the usual allowance for highways; of Lots Nos. 43 and 44, in the sixth range of lots in the same last-mentioned township, each containing 200 acres of land, and the usual allowance for highways; and of Lot No. 44, in the seventh range of lots in the same last-mentioned township, containing 200 acres of land, and the usual allowance for highways.

To the said Louis Bourgeois, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Acton, commonly known and distinguished by the names and description of Lots Nos. 30 and 31, in the said fifth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways; and of Lots Nos. 30 and 31, in the sixth range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways.

To the said Iran Rock Rolland, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the township of Roxton, in our said district of Montreal, commonly known and distinguished by the names and description of Lots Nos. 5, 6, 7, 8, 9, 10, 11 and 12, in the eleventh range of lots in the said township, each containing 200 acres of land, and the usual allowance for highways.

To the said Augustine Germain, his heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Chester, commonly known and distinguished by the names and descriptions of the irregular Lot No. 9, in the sixth range of lots in the said township, bounded on the north-east by Lot No. 9, in the fifth range of lots, on the south-west partly by Lot No. 8, hereinafter next described, and partly by the east side line of Lot No. 14, in the Craig's-road range south, on the south-east by Lot No. 8, in the said sixth range of lots, and on the north-west by Lot No. 10, in the same last-mentioned range of lots, containing about 198 acres of land, and the usual allowance for highways; of the irregular Lot No. 8, in the seventh range of lots in the same last-mentioned township, bounded on the north-east partly by Lot No. 8 and partly by Lot No. 9, in the said sixth range of lots, on the south-west partly by Lot No. 8 and partly by Lot No. 9, in the eighth range of lots in the same township, on the north-west by the south ends of Lots Nos. 13 and 14, in the Craig's-road range of lots south, and also partly by the east outline of the said Lot No. 14, coming to a point on the same at its intersection with the range line between the sixth and seventh ranges, containing about 136 acres of land, and the usual allowance for highways; and of the north-west half of Lot No. 7, in the seventh range of lots in the same last-mentioned township, adjoining the said lastly-described lot on the south-east, containing about 105 acres of land, and the usual allowance for highways.

And to the said John Stewart, his heirs and assigns, for ever, all those certain lots, tracts or parcels of land situated in the said township of Chester, commonly known and distinguished by the names and descriptions of Lots Nos. 9, 10, 11, 13 and 14, in the Craig's-road

road range of lots north, in the said township, each containing 200 acres of land, and the usual allowance for highways; and Lot No. 14, in the Craig's-road range of lots south, in the said township, also containing 200 acres of land, and the usual allowance for highways.

To have and to hold the said several lots, half lots, tracts or parcels of lands, lands, tenements and premises hereinbefore given, granted and confirmed to our said several grantees hereinbefore named severally and respectively of us, our heirs and successors, into and to the use of each of them our said grantees severally, separately and respectively, and unto and to the use of the heirs of each of them our said grantees severally, separately and respectively, in pursuance of and according to the separate grants hereinbefore made to them respectively, in free and common soccage by fealty, in like manner as lands are now holden in free and common soccage in that part of Great Britain called England: And know ye further, that we, of our especial grace, certain knowledge and mere motion, for us, our heirs and successors, have given, granted and confirmed, and by these presents do give, grant and confirm to the said Charles Héon, Louis Héon, Charles Thibodeau, Herbert Poirier and Alexis Leblanc the younger, and Alexis Provancher, their heirs and assigns for ever, all those certain lots, tracts or parcels of land situated in the said township of Blandford, commonly known and distinguished by the names and description of Lot marked (C.) in the tenth range of lots in the said township, bounded south-easterly by the river Beçancour, north-westerly by a road of 50 links in width between this lot and the Lot No. 29 in the third range of lots, south-westerly by the Lot marked (D.), and north-easterly by Lot No. 1 in the said tenth range of lots, containing about 62 acres of land, and the usual allowance for highways; of Lot marked (D.) in the tenth range of lots in the said last-mentioned township, bounded south-easterly by the river Beçancour, north-westerly by a road of 50 links wide between the said lot and Lot No. 29 in the third range of lots, south-westerly by the Lot marked (E.), and north-easterly by the last-described Lot marked (C.), containing about 73 acres of land, and the usual allowance for highways; of Lot marked (E.) in the said tenth range of lots in the said township, bounded south-easterly by the river Beçancour, north-westerly by a road of 50 links between this lot and Lot No. 29 in the fourth range of lots, south-westerly by the Lot marked (F.), north-westerly by the said Lot marked (D.), containing about 83 acres of land, and the usual allowance for highways; and of Lot marked (F.) in the said tenth range of lots in the said township, bounded south-easterly and south-westerly by the river Beçancour, north-westerly by a road of 50 links wide between this lot and Lot No. 29 in the fourth range of lots, and north-westerly by the Lot marked (E.) above described, containing about 67 acres of land, and the usual allowance for highways; To have and to hold the said last-mentioned lots, tracts or parcels of land of us, our heirs and successors, unto and to the use of the said Charles Héon, Louis Héon, Charles Thibodeau, Herbert Poirier and Alexis Leblanc and Alexis Provancher, their heirs and assigns for ever, as tenants in common, and not as joint tenants in free and common soccage, but fealty only, in like manner as lands are now holden in free and common soccage in that part of Great Britain called England.

Provided always, that these our grants hereinbefore contained are made on the express condition that no part of the said lots, half lots, tracts or parcels of land and premises be within any reservation heretofore made and marked out, for us, our heirs and successors, by our surveyor-general of our woods, or his lawful deputy, and of any part thereof, upon a survey being made, be found within any such reservation, that then our grant for such part be null and void, and of no effect, anything herein contained to the contrary thereof notwithstanding. And for a specification of the land by us reserved, allotted and appropriated for the maintenance and support of a Protestant clergy within our said province; know ye, further, that according to the statute in such case made and provided, we have saved and reserved, and hereby do expressly save and reserve to us, our heirs and successors, and do allot and appropriate for the maintenance and support of a Protestant clergy within our said province, all those certain lots, parts of lots, tracts or parcels of land hereinafter mentioned and described; that is to say, Lot No. 11 in the fourth range of lots in the said township of Ascot, containing 200 acres of land, and the usual allowance of highways; Lot No. 15 in the second range of lots, in the same last-mentioned township, containing 200 acres of land, and the usual allowance for highways; Lot No. 13, in the third range of lots, in the same last-mentioned township, containing 200 acres of land, and the usual allowance for highways; and 156 acres of land with the same allowance, making part and parcel of the east end of Lot No. 8, in the said second range of lots in the said last-mentioned township; 120 acres of land, with the usual allowance for highways, making part and parcel of the east end of Lot No. 20, in the seventh range of lots in the said township of Hatley; 70 acres of land, with the usual allowance for highways, making part and parcel of the west end of Lot No. 1, in the ninth range of lots in the said township of Oxford; and 54 acres of land, with the same allowance, making other part and parcel of the same last-mentioned lot; the westerly one-fifth part of the west half of Lot No. 5, in the fourteenth range of lots in the said township of Hatley, containing 20 acres of land, and the usual allowance for highways; 20 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 5, in the fourteenth range of lots in the same last-mentioned township; and 20 acres of land, with the same allowance, making part and parcel of the west half of the same last-mentioned lot; 20 acres of land, with the same allowance, making part and parcel of the same last-mentioned half lot; 20 acres of land, with the same allowance, making part and parcel of the same last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said Lot No. 5, in the fourteenth range of lots in the said township of Hatley; 40 acres of land,

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with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; and also 40 acres of land, and the usual allowance for highways, making part of the west half of Lot No. 5, in the twelfth range of lots in the same last-mentioned township; 40 acres of land, with the usual allowance for highways, making part and parcel of the west half of the said Lot No. 5, in the twelfth range of lots in the same last-mentioned township; 40 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the said Lot No. 5, in the twelfth range of lots in the same last-mentioned township; 80 acres of land, with the usual allowance for highways, making part and parcel of the east half of the same last-mentioned lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 7, in the eleventh range of lots in the same last-mentioned township, and 80 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said Lot No. 7, in the eleventh range of lots in the same last-mentioned township; five acres of land, with the usual allowance for highways, making part and parcel of the said Lot No. 5, in the twelfth range of lots in the same last-mentioned township, and 20 acres of land, with the same allowance, making part and parcel of the east half of Lot No. 7, in the eleventh range of lots in the same last-mentioned township; five acres of land, with the usual allowance for highways, making part and parcel of the east half of the said Lot No. 5, in the twelfth range of lots in the same last-mentioned township, and 20 acres of land, with the same allowance, making part and parcel of the said east half of Lot No. 7, in the eleventh range of lots in the said last-mentioned township; 30 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 10 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot, and 10 acres of land, with the same allowance, making part and parcel of the west end of the west half of Lot No. 12, in the twelfth range of lots in the same last-mentioned township; 15 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 60 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 40 acres of land, with the usual allowance for highways, making part and parcel of the said Lot No. 12, in the twelfth range of lots, in the said last-mentioned township; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said last-mentioned lot; 30 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned lot; 30 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned lot; and 10 acres of land, with the same allowance, making part and parcel of the west end of Lot No. 14, in the eleventh range of lots in the same last-mentioned township: 85 acres of land, with the usual allowance for highways, making part and parcel of the west half of the said last-mentioned lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said last-mentioned lot; and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west end of Lot No. 10, in the tenth range of lots, in the same last-mentioned township; 18 acres of land, with the usual allowance for highways, making part and parcel of the east half of Lot No. 1, in the ninth range of lots, in the said township of Orford, and 40 acres of land, with the usual allowance for highways, making part and parcel of the same last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 27, in the seventh range of lots, in the said township of Ascot, and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot: 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said last-mentioned lot, and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 60 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 27, in the twelfth range of lots in the same last-mentioned township; Lot No. 36, in the seventh range of lots, in the said township of Acton, containing 200 acres of land, and the usual allowance for highways; Lot No. 36, in the ninth range of lots, in the said last-mentioned township, containing 200 acres of land, and the usual allowance for highways; Lot No. 31, in the tenth range of lots, in the said last-mentioned township, containing 200 acres of land, and the usual allowance for highways; and 80 acres of land, with the same allowance, making part and parcel of the south end of Lot No. 38, in the said tenth range of lots, in the same last-mentioned township; Lot No. 13, in the ninth range of lots, in the said township of Roxton, containing 200 acres of land, and the usual allowance for highways; and 120 acres of land, with the same allowance, making part and parcel of Lot No. 16, in the same last-mentioned range of lots; the south-west half of Lot No. 8, in the sixth range of lots, in the said township of Chester, containing 100 acres of land, and the usual allowance for highways; Lot No. 8, in the Craig's-road range of lots, north, in the said last-mentioned township, containing 180 acres of land, and the usual allowance for highways; and 50 acres of land, with the same allowance, making part and parcel of the south end of Lot No. 12, in the said Craig's-road range of lots, south, and 10 acres of land, with the same allowance, making part and parcel of the north half of Lot No. 8, in the sixth range of lots, in the same last-mentioned township; and 57 acres of land, with the usual allowance for highways, making part and parcel of the north-west end of Lot No. 2, in the sixth

sixth range of lots, in the township of Maddington, in the said district of Three Rivers. The whole quantity of land, so reserved, allotted and appropriated, being, as nearly as circumstances and the nature of the case will admit, of the like quality as the land hereinbefore granted, in respect of which the same is so allotted and appropriated, and, as nearly as can be estimated, equal in value to one-seventh part of the land hereinbefore granted. And know ye further, that we have saved and reserved, and hereby do expressly save and reserve to us, our heirs and successors, for our future *disposition*, all those certain lots, parts of lots, tracts and parcels of land hereinafter described; that is to say, Lots Nos. 17, 18 & 19, in the eleventh range of lots, in the said township of Orford, each containing 200 acres of land, and the usual allowance for highways; and 156 acres of land, with the same allowance, making part and parcel of the east end of Lot No. 17, in the twelfth range of lots, in the same last-mentioned township; Lot No. 23, in the seventh range of lots, in the said township of Hatley, containing 120 acres of land, and the usual allowance for highways; 70 acres of land, with the usual allowance for highways, making part and parcel of the west end of Lot, No. 20, in the tenth range of lots, in the said township of Orford, and 54 acres of land, with the same allowance, making part and parcel of Lot No. 20, in the tenth range of lots, in the same township; the westerly one-fifth part of the west half of Lot No. 8, in the twelfth range of lots, in the said township of Hatley, containing 20 acres of land, and the usual allowance for highways; 80 acres of land, with the usual allowance for highways, making part and parcel of the west half of the said Lot No. 8, in the twelfth range of lots, in the same last-mentioned township; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said last-mentioned lot; and 80 acres of land, with the same allowance, making part and parcel of the said last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west end of the west half of Lot No. 11, in the eleventh range of lots in the same last-mentioned township, and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said last-mentioned lot; and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 13, in the tenth range of lots in the said last-mentioned township; and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; five acres of land, with the usual allowance for highways, making part and parcel of the east half of the said last-mentioned lot; and 90 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 40 acres of land, with the usual allowance for highways, making part and parcel of Lot No. 6, in the tenth range of lots in the same last-mentioned township; 60 acres of land, with the usual allowance for highways, making part and parcel of the west half of the said last-mentioned lot, and 90 acres of land, with the usual allowance for highways, making part and parcel of the east half of the same last-mentioned lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 15, in the ninth range of lots in the same last-mentioned township; 60 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; five acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; five acres of land, with the usual allowance for highways, making part and parcel of the east end of Lot No. 13, in the tenth range of lots in the said last-mentioned township; 20 acres of land, with the usual allowance for highways, making part and parcel of the said west half of Lot No. 15, in the ninth range of lots in the said last-mentioned township; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of the said Lot No. 15, in the ninth range of lots, in the said last-mentioned township; 60 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; and 20 acres of land, with the usual allowance for highways, making part and parcel of the east end of the said last-mentioned lot; 58 acres of land, with the usual allowance for highways, making part and parcel of the west half of Lot No. 22, in the ninth range of lots in the said township of Orford; 20 acres of land, with the usual allowance for highways, making part and parcel of the east half of Lot No. 17, in the ninth range of lots, in the said last-mentioned township; and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 20 acres of land, with the usual allowance for highways, making part and parcel of the west half of the said Lot No. 17, in the ninth range of lots in the said last-mentioned township; and 80 acres of land, with the usual allowance for highways, making part and parcel of the said last-mentioned half lot; 60 acres of land, with the usual allowance for highways, making part and parcel of the east half of Lot No. 20, in the tenth range of lots in the said last-mentioned township; Lot No. 30, in the seventh range of lots in the said township of Acton, containing 200 acres of land, and the usual allowance for highways; Lot No. 33, in the ninth range of lots, in the said last-mentioned township, containing 200 acres of land, and the usual allowance for highways; Lot No. 42, in the tenth range of lots in the said last-mentioned township, containing 200 acres of land, and the usual allowance for highways; and 80 acres of land, with the same allowance, making part and parcel of the south end of Lot No. 35, in the said tenth range of lots in the said last-mentioned township; Lot No. 20, in the ninth range of lots, in the said township of Roxton, containing 200 acres of land, and the usual allowance for highways; the east half of Lot No. 19, in the said last-mentioned range of lots, containing 100 acres of land, and the usual allowance for highways; and 20 acres of land, with the same allowance, making part and parcel of the north end of Lot No. 21, in the same

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Lord Aylmer to  
Mr. Sec. Stauley,  
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last-mentioned range of lots; the south-west half of Lot No. 2, in the seventh range of lots, in the said township of Chester, containing 100 acres of land, and the usual allowance for highways; Lot No. 12, in the Craig's-road range of lots north, in the said last-mentioned township, containing 200 acres of land, and the usual allowance for highways; and 40 acres of land, with the same allowance, making part and parcel of the south end of Lot No. 8, in the Craig's-road range of lots south, in the said last-mentioned township; and 57 acres of land, with the usual allowance for highways, making part and parcel of Lot No. 1, in the sixth range of lots, in the said township of Maddington: And the whole quantity of land so reserved as last aforesaid, being, as nearly as circumstances and the nature of the case will admit, of the like quality as the land hereinbefore granted, in respect of which the same is so reserved, and, as nearly as can be estimated, equal in value to one-seventh part of the land hereinbefore granted. Provided always, and these Our Royal Letters are upon this express condition, that if our said grantees respectively, their respective heirs and assigns, shall not within one year next after the date thereof settle on the premises hereby granted to them respectively, so many families as shall amount to one family for every 1,200 acres hereby granted to our said grantees respectively; or if he or they respectively shall not within three years, to be computed as aforesaid, plant and effectually cultivate at least two acres for every 100 acres of such of the hereby-granted premises as are capable of cultivation, and shall not also within seven years, to be computed as aforesaid, plant and effectually cultivate at least seven acres for every 100 acres of such of the premises hereby granted to him or them respectively as are capable of cultivation, then and in every of these cases the grants hereinbefore made to our grantee and grantees making default as aforesaid in the premises, or any of them, and everything therein contained shall cease and be absolutely void, and the lands hereby granted, in respect of which such settlement and cultivation, or such cultivation as aforesaid, shall not be made, shall revert and escheat to us, our heirs and successors, and shall thereupon become the absolute and entire property of us or them, in the same manner as if our said last-mentioned grants had never been made, anything hereinbefore contained to the contrary or anywise notwithstanding; provided also, and we do hereby expressly reserve to us, our heirs and successors, all mines of gold and silver which now are or shall be found upon the aforesaid lots, parts of lots, tracts and parcels of land and premises hereby granted, or any part thereof, so that the said mines, and each of them, shall belong to us, our heirs and successors, in all full and ample manner as if the present grants had never been made; and we do hereby expressly reserve to us, our heirs and successors, full power, right and authority to make and use all such roads, ways and passages over the said lots, parts of lots, tracts and parcels of land and premises hereby granted, or any part thereof, and also to take, stop, divert and use all such rivers, streams, ponds and bodies of water as shall by us or them be judged necessary or convenient for working or improving the said mines, or any of them; and provided further, if any mine or mines of gold or silver shall be found on the said lots, parts of lots, tracts and parcels of land and premises hereby granted, our said grantee, his heirs or assigns possessing such land, or any part of the same, shall within the space of six months after the discovery of such mine or mines, give notice of the discovery thereof to our Governor, Lieutenant-governor or person administering the government of our said provinces for the time being, and if he, she or they shall make default therein, the present grant of the said land, at the end of the said six months next ensuing after such discovery, shall become void, and the said land hereby granted shall revert and escheat to us, our heirs and successors, in the same manner as if the present grants had never been made, anything herein contained to the contrary in anywise notwithstanding; and we do hereby expressly reserve to us, our heirs and successors, a right of making any number of public roads or highways, of a breadth not exceeding 100 feet, through any part of the said lots, parts of lots, tracts and parcels of land and premises hereby granted, except such parts whereon any dwelling-house or other houses or buildings shall be erected; and we do hereby also expressly reserve to us, our heirs and successors, full power, right and authority to erect and build any forts or fortresses, or to make any other works of military defence on any part of the said lots, parts of lots, tracts and parcels of land and premises hereby granted, that may by us, our heirs and successors, be deemed necessary for the peace and safety of our said provinces, whenever we or they shall signify it to be our or their pleasure so to do, by an order given by us or them, in our or their Privy Council in Great Britain, or whenever it shall be judged advisable or expedient so to do by our Governor, Lieutenant-governor or person administering the government of our said province, by and with the advice and consent of our Executive Council of our said province; and we do hereby direct and appoint, that within six months from the day of the date of these presents, a copy of these our letters patent shall be registered in our Register's-office in our city of Quebec, in our said province of Lower Canada, and that a docket thereof shall also be entered in our Auditor's-office in our said city of Quebec, and that in default thereof, the said lots, parts of lots, tracts and parcels of land and premises hereby granted, shall revert and escheat to us, our heirs and successors, and become the absolute property of us or them, in the same manner as if the present grants had never been made, anything herein contained to the contrary in anywise notwithstanding.

In Testimony, &c. &c.

Witness, &c. &c.

25 May 1830.

This is my Draught,  
(signed) J. Stuart, Attorney-general.

Enclosure 8, in No. 17.

STATEMENTS of GRANTS of CROWN LANDS made to the Hon. Mr. Felton and his Family, by Letters Patent under the Great Seal of the Province, as required by Lieut.-colonel Craig's Letter of the 30th instant, for the information of his Excellency the Governor-in-Chief.

	Date of Patent,	Number of Acres in each Grant.	By whom Ordered to be made out.	Authority under which Grant was Conferred.
A grant of land was made, under Letters Patent, to the Hon. Mr. Felton.	29 Sept 1816	2,000	Sir J. C. Sherbrooke -	- - There is nothing in this office to show that this grant was made upon any other authority than that of the Governor and Executive Council.
Ditto - - - -	1 July 1818	3,000	Sir J. C. Sherbrooke -	- - Ditto.
Ditto - - - -	31 May 1824	5,200	Lord Dalhousie -	- - Ditto.
Ditto - - - -	20 Nov. 1830	5,013	Sir James Kempt -	- - These grants appear, from a list of lands petitioned for by Mr. Felton, and deposited with the draught of the patent in this office, to have been ordered in Lord Bathurst's Despatch of 3 July 1826.
Ditto to nine children of Mr. Felton.	- - - -	10,862	Sir James Kempt -	
Ditto to Mr. Felton -	24 May 1831	600	Lord Aylmer -	- - This grant appears to have been made to Mr. Felton, as late Purser of the Royal Navy.
TOTAL - -		26,675		

Secretary's-office, }  
Quebec, 4 June 1834. }

(signed) D. Daly,  
Secy and Regl.

Enclosure 9, in No. 17.

LETTER from the Secretary of the Provinces to the Civil Secretary.

Sir, Secretary's Office, Quebec, 11th June 1834.

In reply to your letter of yesterday, inclosing a statement received from the Secretary of State, by his Excellency the Governor-in-chief, together with one which I had recently furnished for the information of his Excellency, regarding the grants that have been made to the Hon. Mr. Felton and his family, I have the honour to state, that I can in no way explain the discrepancy between these two statements, except in the omission in the former statement of the name of one of Mr. Felton's children, to whom 1,220 acres were granted, and the fact that all general statements of lands granted are taken from the docket books of this office, in which the numbers of lots only are inserted (each lot as containing about 200 acres).

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In the preparation of the last-mentioned statement, which is in every minute particular correct, the exact number of acres has been taken from the original letters patent. Any inaccuracy in the statement transmitted to his Excellency by the Secretary of State, can only be attributable to clerical errors, which may have arisen either in the preparation or copying of the original statement.

With reference to the authority by which I was directed to make out a grant of 1,200 acres of land to each of Mr. Felton's children, I have the honour to state, for his Excellency's information, that a draught of letters patent was prepared by the late Attorney-general, and transmitted to me by Colonel Yorke, granting all the lands, more particularly described in a list (copy of which I have the honour to inclose), to Mr. Felton and his family, with, as in all cases, the following order affixed to it:

" Letters patent to be engrossed accordingly. By order of his Excellency the Administrator. Quebec, 18th August 1830. (signed) C. Yorke, Secretary."

This draught and order not having reached my office in time to have the letters patent completed prior to the departure of Sir James Kempt, they were prepared and perfected by his Excellency the Governor-in-chief, in the usual course, with others similarly situated.

The draught, as above described, was sent to this office, unaccompanied by any documents connected with it; and it was not until after the letters patent had been for a considerable time completed, that the list above alluded to, and an extract of a Report of the Executive Council (copy of which I have also the honour to inclose) were sent, with a parcel of other papers connected with grants of land, to this office, from that of the Civil Secretary, having, as I understood, been sent there by the late Attorney-general, after his suspension from office.

In conclusion, I have the honour to state, that the preparation of the letters patent in question was proceeded with by me in the usual way, in obedience to the commands of Sir James Kempt, as conveyed by his Civil Secretary, upon the back of the draught prepared and signed by the late Attorney-general.

I have, &c.  
(signed) D. Daly, Secretary.

No. 17.  
Despatch from  
Lord Aylmer to  
Mr. Sec. Stanley,  
3 July 1834.

Enclosure 10.

Enclosure 10, in No. 17.

EXTRACT of a REPORT made by a Committee of the whole Council, dated 4 November 1830, and approved by his Excellency the Governor-in-Chief in Council, 7 December 1830, on the petition of *W. B. Felton, Esq.*, praying that, as late Purser in the Royal Navy, he may obtain a Grant of the Clergy Reserves, Lots No. 12, in the ninth range, No. 10, in the tenth range, and No. 11, in the seventh range of the Township of Ascot, in exchange for Lands of equal value formerly granted to him in the Township of Ham.

THE committee having perused the letter of the Lord Bishop of Quebec, of the 30th May last, wherein his Lordship expresses the acquiescence of the clergy corporation in the proposed arrangement of an exchange of the Clergy Reserves, being Lots No. 12 in the ninth range, and No. 10 in the tenth range of the township of Ascot, for lands of equal value, they humbly recommend that the petitioner obtain a grant of these lots, and that two lots in the township of Ham be laid out as an equivalent for the clergy as to No. 7 in the eleventh range of the township of Ascot, and No. 19 in the second range of Hatley; inasmuch as it appears that these lots are still undisposed of, the committee humbly advise that the same be granted to the petitioner.

(Certified.)

*George H. Ryland.*

— No. 18. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lord *Aylmer*.

(Confidential.)

No. 18.  
Despatch from  
Mr. Sec. S. Rice  
to Lord Aylmer,  
29 October 1834.

My Lord,

Downing-street, 29th October 1834.

I HAVE had the honour to receive your Lordship's despatch, No. 58, of the 3d July last, accompanied by the explanation, which my predecessor directed you to require, from Mr. Felton, respecting certain grants of Crown lands to himself and his children, that had been found considerably to exceed the amount of any grants sanctioned by His Majesty's Government. The facts of the case, as they appear from the various documents appended to your Lordship's communication, may be stated as follows:

In the year 1826, Mr. Felton, being already in possession of grants of land to the extent of more than 10,000 acres, applied to Lord Bathurst for an additional grant, and requested that it might be accompanied with the "usual reservations" for his children. This petition was grounded on the exertions which Mr. Felton had made on his previous allotments; on which, he stated, he had formed a flourishing settlement, and had converted a considerable extent of wilderness into productive and valuable farms. Lord Bathurst admitted the force of these considerations, and instructed the Governor to make to Mr. Felton a further grant of 5,000 acres; adding an authority, framed in close adherence to the language of Mr. Felton's application, for the usual reservation in favour of his children.

In May 1828 Mr. Felton claimed the execution of Lord Bathurst's directions in his favour, and submitted a schedule of the lands which he wished to obtain under that authority; consisting of about 5,000 acres for himself, and of about 1,200 for each of his children. The number of his children was nine.

Sir James Kempt agreed to the demand of 5,000 acres for Mr. Felton himself, but referred to the Secretary of State for instructions respecting the grant to his children. Sir James Kempt observed, that the usual allowance to an ordinary settler was 100, or at most 200 acres; and that 1,200 acres, which Mr. Felton claimed for each of his nine children, was the utmost amount that the Government was at liberty to assign to any one individual. Under these circumstances Sir James declined to accede to the demand, unless he should receive positive directions to that effect from Sir George Murray.

Before proceeding further, I think this a proper place to advert to, and dispose of, that part of Mr. Felton's recent explanation, in which he discusses the reasonableness of his application in the year 1828. This point is by no means of equal importance with others in the case; but since it has been raised, I feel it unnecessary to postpone, to any subsequent part of this review of the circumstances, the declaration

declaration of my clear opinion, that Mr. Felton's request on behalf of his children in 1828 was altogether immoderate. Indeed, when I refer to the very few words in which the subject was mentioned in his application to Lord Bathurst—words thrown out carelessly at the end of his letter, and repeated by his Lordship with an absence of any attempt at definition, which shows how little importance was attached to them—I am at a loss to conceive how Mr. Felton could suppose it possible, that by such a passage he had become entitled to 10,800 acres of land. It is no doubt true, that the value of His Majesty's lands in the Colonies was not formerly estimated by the Government at so high a rate as now; but there never was a time when the Secretary of State would have alienated, in such a manner, a tract of country that could not be worth less than some thousands of pounds. As soon as Sir George Murray received the question referred to him by Sir James Kempt, he replied by directing that 200 instead of 1,200 acres should be assigned to each of Mr. Felton's children. This decision was duly communicated to Mr. Felton. He states, that he expostulated with Sir James Kempt on what he considered its hardship and injustice; but he does not allege that Sir James signified any change of view, in consequence of this remonstrance. Sir James, shortly after left the colony, without any further communication with Mr. Felton on the subject. Nevertheless, a few months afterwards a patent was issued, conveying to each of Mr. Felton's children the 1,200 acres originally solicited for them; upon which Mr. Felton, without one inquiry respecting the cause of so extraordinary a deviation from decisions distinctly and repeatedly signified by the Governor, and by the Secretary of State, silently acquiesced in the unexpected advantage; and his children have remained in possession of the lands up to the present moment, when an accidental discovery in a miscellaneous return has brought the subject to light.

Mr. Felton states, that "when he ascertained, a short time before the departure of Sir James Kempt, that the extent of the grant corresponded with his pretensions, he was convinced that Sir James had been satisfied with the justice of his claims; and that, in acceding to the prayer of the petition, his Excellency had given a proof of the good feeling he condescended to entertain towards him personally, as well as for his character and public services." Upon this statement I am compelled to remark, that Mr. Felton must have known very well that Sir James Kempt was the first person to object to the extensive grants he sought for his children; and in the absence of any express declaration of a change of opinion, he could have no justification in tacitly assuming an alteration of view so favourable to his own interests. He does not say that Sir James Kempt gave signs of any such change of sentiment when he heard Mr. Felton's arguments on the subject, a short while before his departure; and even had Sir James relinquished the opinions originally formed by himself, and afterwards persisted in by him notwithstanding such objections as Mr. Felton could urge, it would not have been in his power to have reversed the Secretary of State's positive instructions, without applying to this department for a revision of the case. Neither is it to be supposed that he would have abandoned all his previous resolutions, without any other indication of the change than the mere contents of a formal instrument under the Great Seal. A colonial officer of ability and high rank, such as Mr. Felton, can hardly have been ignorant that this is not the manner in which the decisions of the Government are accustomed to be dealt with. Considering, therefore, Mr. Felton's position, both as a legislative councillor and as Commissioner of Crown lands, which latter situation ought to have rendered him jealous of the interests of that branch of the public property, and especially scrupulous in respect to all advantages to himself out of it; he appears to me to have omitted an imperative duty, when he neglected to call the attention of the local government to the unlooked-for benefits conveyed to him by the letters patent, touching his children's lands. He was bound to bring the subject distinctly under notice; and his silence was the less excusable, since he appears to have become aware of the contents of the letters patent before Sir James Kempt left the colony; so that he could have no difficulty in immediately ascertaining, from the best authority, whether or not there had been a real change of intention in his favour.

I think the foregoing statement is quite enough to show the course which must be adopted. Your Lordship will call upon Mr. Felton for a surrender of all the lands which have been assigned to his children above the authorized quantity of 200 acres to each; or should that be impossible by reason of their nonage, you

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29 October 1834.

will require a surrender of an equivalent portion of his own lands. The reasons on which this step is founded appear to me, after giving due consideration to Mr. Felton's statement, so obvious and incontrovertible, that I desire to receive no reference home on the subject. You will acquaint Mr. Felton that the demand is one with which I expect his immediate compliance.

The foregoing part of this despatch contains the communication which I wish to be made to Mr. Felton. To your Lordship I must add, that if he declines to obey the requisition which I have felt authorized to make upon him, it will be your duty to dispense with Mr. Felton's further services, and to provide in such manner as you most conveniently can for the discharge of his duties until a successor can be appointed by me. Your Lordship will also, in that case, take the opinion of the law officers of the government on the question, whether there is any legal process by which the right of the Crown to this land could be effectually asserted in a court of justice. Without meaning to express or suggest a positive conclusion on that subject, I should yet wish it to be well considered, whether a grant so unadvisedly made in favour of the family of a public officer, himself in charge of a large branch of the Crown land revenues, and upon an apparent mistake on the part of the King's Attorney-general can be valid as against His Majesty. Your Lordship is aware that for the protection of the public revenue, royal grants of this nature are liable to be revoked in this country, on grounds which would be inapplicable to the case of a private grant. To what extent this principle may have been adopted in the law of Lower Canada, is a question which I cannot undertake to resolve on any legal authority which I can consult in this country.

It is not without great pain that I contemplate the alternative which I have now mentioned, to which I trust your Lordship will not have need to resort. But your Lordship will have the goodness not to impart to Mr. Felton these conditional instructions; for I am anxious, on the one hand, not to obtain a cession of property by any proceeding which could be construed into a menace, nor, on the other hand, am I ready to become pledged that even if Mr. Felton does make the required surrender, I shall on that account abstain from any ulterior mark of displeasure.

Viewing Mr. Felton's want of connexion with the preparation of instruments for the conveyance of land, and, consequently, his perfect freedom from any imputation of wilful falsification of documents in the present case, I trust that I may not feel called upon to advise his removal on account of his too easy acquiescence in an error committed in his favour; but the question admits of doubt, and I am unwilling to preclude myself from further consideration of the subject.

I have marked this despatch "confidential," because, as the transaction to which it relates is one that required me to comment very freely the topics of personal character and motives, I do not wish that it should needlessly or accidentally become public. The communication, however, is perfectly official, and, if rendered desirable by any future circumstances, I have no objection to its being regarded in that light.

I have, &c.

(signed) *T. Spring Rice.*

— No. 19. —

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

No. 19.  
Despatch from  
Lord *Glenelg* to  
Earl of *Gosford*,  
23 February 1836.

My Lord,

Downing-street, 23d Feb. 1836.

MY attention has recently been directed to a despatch addressed to Lord Aylmer, on the 29th October 1834, by my predecessor in this office, Mr. Spring Rice, on the subject of the large quantity of land which had been obtained by Mr. Felton, the Commissioner of Crown lands in Lower Canada, in his own name and in the names of his children. Mr. Spring Rice directed that certain measures should be forthwith taken for procuring from Mr. Felton the cession of so much of this land as exceeded the quantity which His Majesty's Government had intended to bestow on him and his family; and he gave instructions as to the course which should be adopted towards Mr. Felton, should he hesitate to comply with the demand

demand to be made on him for this purpose. I find that no report has been received at this department of the steps which were taken in consequence of Mr. Spring Rice's despatch, and I have to request that your Lordship will supply this omission by furnishing me, at your earliest convenience, with full information on the subject, including copies of any correspondence which has passed between the Governor of Lower Canada and Mr. Felton. I need hardly observe, that if any circumstance should have hitherto postponed the execution of Mr. Spring Rice's instructions in this matter, your Lordship will understand that they are still in force, and will proceed to give them immediate effect. In this case you will report to me without delay the measures which you will have taken and their result.

I have, &c.

(signed) *Glenelg.*

No. 19.  
Despatch from  
Lord Glenelg to  
Earl of Gosford,  
23 February 1836.

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**LOWER CANADA.**

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**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**.

*-(Mr. Roebuck.)*

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*Ordered, by The House of Commons, to be Printed,  
+ March 1836.*

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