

## Despatches from the Secretary of State.

— No. 1. —

(No. 51.)

COPY of DESPATCH from the Right Honourable Lord *John Russell* to Governor-General Sir *Edmund Head*, Bart.

No. 1.  
Right Hon.  
Lord J. Russell to  
Sir E. Head, Bart.  
20 July 1855.

Sir,

Downing-street, 20 July 1855.

THE attention of Her Majesty's Government has again been called to the case of Mr. G. H. Ryland, formerly clerk and registrar of the Executive Council of the United Province of Canada.

This case has been repeatedly brought under the consideration both of the Imperial and of the Colonial Governments, but no decision has been arrived at which can be considered satisfactory, because whilst both Governments have admitted that the claims of Mr. Ryland have in themselves a just foundation, each of those governments has contended that the obligation of satisfying those claims rests with the other.

In 1846, the case was very carefully investigated by a committee of the Colonial Legislature appointed for that purpose. The report of the committee was, "That Mr. Ryland's claims, the justice of which has been recognised by the late Governor-general Lord Meicalfe, ought not to be avoided or overlooked; and that he has a right to expect that the contract entered into between him and the Government, of which he has performed his part, should be carried out according to its terms; or, as that may now be impossible, that he should be fully compensated for the non-fulfilment thereof."

In the same year, Lord Grey, then Secretary of State for the Colonies, replied to an address founded on this report, that "neither he nor his predecessor disputed Mr. Ryland's claim to compensation for whatever loss he may have sustained by the surrender of his office of clerk of the Executive Council," and Lord Grey directed Lord Cathcart, then Governor-general, "strongly to urge on the House of Assembly the necessity of their providing for the reasonable compensation of the claimant."

It appears, therefore, from these, as well as from other facts connected with the case, that Mr. Ryland has failed hitherto in securing the satisfaction of his claims, not from any dispute as to their justice, but from difficulties in adjusting the manner in which compensation should be found.

Considering the peculiar circumstances under which Lord Sydenham was sent as Governor-general to Canada, and the large powers with which, for special purposes, he was invested, Her Majesty's Government are prepared to admit that the promise which he made, he had sufficient authority to make. They admit, farther, that that authority came from the Imperial Government and belonged to his position as representative of the Crown. On the other hand, it will not be disputed that the arrangement which he proposed to Mr. Ryland; and which that gentleman was induced to accept, was one exclusively connected with colonial affairs, and that whatever advantages attended, or were expected to attend it, were derivable by the colony alone.

The peculiarity of Mr. Ryland's case does not depend only on the specific written promise given by Lord Sydenham. It is farther distinguished by the circumstance