

Encl. in No. 2.

Enclosure in No. 2.

Sir,

Quebec, 6th June 1839.

His Excellency the Earl of Durham having conferred upon me the appointment of registrar and clerk of Her Majesty's Executive Council for the province of Lower Canada, under commission dated 1st October 1838, and my mandamus not having yet been forwarded to me, you will oblige me by calling the attention of his Excellency Sir John Colborne to the subject, with a view to an application being made to the Secretary of State, requesting that no unnecessary delay be allowed to take place in preparing the instrument, and transmitting it to me through his Excellency the Governor General.

Mr. Secretary Goldie.

I have, &c.
(Signed) G. H. RYLAND.

No. 3.

Sir J. Colborne
to
the Marquess of
Normanby,
26th July 1839.

No. 3.

COPY of a DESPATCH from Lieutenant General Sir JOHN COLBORNE, K.C.B.,
to the Marquess of NORMANBY.

(No. 98.)

Government House, Montreal, 26th July 1839.
(Received 15th August 1839.)

My Lord,

WITH reference to your Lordship's despatch of the 3d July, No. 53*, upon the subject of the application of Mr. Ryland for the issue of the usual warrant appointing him clerk of the Executive Council, I beg leave to state that I think Mr. Ryland well qualified for the situation for which he was selected by Lord Durham, and to request that his appointment may be confirmed. I have communicated to him that he will not be entitled to receive any retiring allowance should the union of the provinces take place.

I have, &c.
(Signed) J. COLBORNE.

* Page 99.

No. 4.

Sir J. Colborne
to
the Marquess of
Normanby,
14th August 1839.

No. 4.

(No. 105.)

COPY of a DESPATCH from Lieutenant General Sir JOHN COLBORNE, K.C.B.,
to the Marquess of NORMANBY.

Government House, Montreal, 14th August 1839.

My Lord,

(Received 9th September 1839.—Answered 12th September 1839, No. 6.)

WITH reference to your despatch of the 3d ultimo, No. 53†, and my letter of the 26th, No. 98., I have the honour to forward, at the solicitation of Mr. Ryland, the accompanying letter to your Lordship on the subject of his appointment to the office of clerk of the Executive Council; and I trust your Lordship will consider it proper that that gentleman's mandamus should be ante-dated to the 13th of October 1838, the day the appointment took place, but which appointment was not reported at the time to the Secretary of State for the Colonies by the Earl of Durham, the late Governor General.

I have, &c.
(Signed) J. COLBORNE.

† Page 99.

12th July 1839

Encl. in No. 4.

Enclosure in No. 4.

My Lord,

Executive Council Office, Quebec, 12th July 1839.

I have been furnished by his Excellency the Governor General with a copy of your Lordship's despatch, No. 53‡, bearing date the 3d instant, referring to his Excellency Sir John Colborne, whether Lord Durham's selection of me to fill the office of clerk of the Executive Council of Lower Canada was a proper one.

As I humbly conceive that your Lordship could not at the time you wrote your despatch have been made acquainted with the nature of the commission under which I hold office, nor the peculiar circumstances attending my appointment, I shall briefly lay them before you, under the full conviction that your Lordship will pardon the liberty I take in so doing.

In the spring of the year 1821 I was appointed by his Excellency the Earl of Dalhousie to the situation of assistant clerk of the Executive Council of Lower Canada, with an understanding that I was ultimately to succeed my father as registrar and clerk thereof, an office which he held from the 1st July 1796 to the day of his death on the 20th July 1838, under a commission precisely similar to the one granted me by the Earl of Durham (see subjoined copies of the two commissions), and which was considered by the then Governor in Chief, the late Lord Dorchester, as perfectly sufficient, without any warrant under the Royal Sign Manual, to succeed him in the possession of the office.

On the 27th April 1836, my father being entitled to retire upon full pay, and having moreover peculiar claims on His Majesty's Government in consideration of the nature and length of his public services, offered to waive all title to remuneration provided he was allowed to retire in my favour.

Commissions.

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