

## CORRESPONDENCE RELATING TO

1st. Lord John Russell, in his Despatch of the 20th July 1855, officially admits that I had a right to retain the office of Clerk of the Council of Canada, and that I was induced on public grounds to surrender it, in order to meet the views of Her Majesty's then Government in England.

Having, then, the right to retain, it must be allowed that I had a right to attach conditions to the surrender.

I did attach conditions which were repeated, and not having been objected to, they are binding on the Crown.

It would, indeed, be contrary to reason to suppose, under the peculiar circumstances of the case, and the admissions of Lord John Russell, that the letter of Mr. Murdoch, offering a guarantee, would be binding without my consent.

2d. When, after the lapse of many years, during which the Government, by an exercise of power, endeavoured to close my case, as they may possibly wish to do now, Chief Justice Carter was at last appointed to report upon my claim, he was restricted by his instructions to ascertain, not the amount of injury inflicted on me by my conditional surrender of office, but what sum would be necessary to cover the balance of the amount of pension on which I might have retired under the Act 4 & 5 Will. 4, in 1841.

3d. That the report of Mr. Carter, made under limited instructions, was based on the annual receipts of office up to a certain fixed period only.

In this report (for Mr. Carter, in his letter of the 1st of November 1856, distinctly denies that it was an award) he proposes two modes of settlement, one of which affording me the least possible relief, and in fact perpetuating the wrong of which I complained, the Government without my consent arbitrarily adopted.

Mr. Carter states the amount then due to be 7,735*l.* 12*s.* 6*d.*, and suggests that the sum of 1,264*l.* 7*s.* 6*d.* should be added as a kind of commutation of my pension of 515*l.* per annum, and in lieu of all further claims under my arrangement with Lord Sydenham for the rest of my life; at least, such is the substance of his report.

Now, my Lord Duke, if this report, based on certain annual calculations, and not taking in any of my losses directly consequent on the breach of faith of the Crown, could have been binding on me, it would have been necessary that the whole amount should forthwith have been paid, and that I should have accepted it without comment or dissent.

Your Grace, however, is aware that it was upwards of a year before any portion of it was paid, when my necessities compelled me to take the moiety offered, under a distinct and formal protest on record among the papers laid before the House of Commons by Lord Carnarvon, on the 23d of February 1859. It was not until the lapse of nearly three years that the remaining moiety was forthcoming, during which, in prosecution of my claim, and without which I should not to this day have been paid, I was twice compelled to visit England at a loss of upwards of 2,000*l.*

It is plain, then, that even if Mr. Carter's report was intended as a finality, it has never in its integrity been carried out; consequently there can be no question of re-opening a case which has never been closed.

With these facts before you, I cannot but hope that the proposal I had the honour to submit to your Grace in my letter of the 28th November last, will meet with your favourable consideration.

In conclusion, I would impress upon your Grace, that not only have my pecuniary prospects and those of my family been blighted by my ready acquiescence in the views of the representative of the Crown, but the property inherited from my parents and the best years of my life have been wasted and sacrificed in my protracted struggle for justice. That (to use the words of one of your Grace's most distinguished colleagues) the compensation granted "is trivial as compared to what is due to me," and, I may add, altogether inadequate to the injury I have sustained.

His Grace the Duke of Newcastle,  
Secretary of State.

I have, &c.  
(signed) G. H. Ryland.

Encl. 2 in No. 1.

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Sir,

Montreal, 1 February 1861.

ON the 28th\* November last I addressed a communication to his Grace the Duke of Newcastle relative to certain unsatisfied claims on Her Majesty's Government.

Looking upon it that the Imperial Government were alone responsible for the debt, I mailed my letter direct to his Grace, instead of through the usual official channel here.

As the Province, however, may ultimately be looked to for a portion of the interest due under Chief Justice Carter's report, I take the liberty of addressing, through your Excellency, a more formal application to the Secretary of State on the subject, as a preliminary step preparatory to such ulterior proceedings as may be forced upon me.

I have, &c.  
(signed) G. H. Ryland.

His Excellency Sir W. Fenwick Williams, Bart., K.C.B.,  
Administrator of the Government,  
&c. &c. &c.

\* 21st?