

Encl. 1. in No. 6.

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To the Right Honourable Lord Stanley, Her Majesty's Secretary of State for the Colonies,
&c. &c. &c.

The Memorial of G. H. Ryland, Esq., Registrar of the District of Quebec;

Respectfully sheweth,

That at the period of the union of the provinces of Upper and Lower Canada your memorialist held the patent appointment of registrar and clerk of the Executive Council, expressly conferred on him by his Sovereign in reward of public services, and of which it was the desire of the then Secretary of State, Lord John Russell, that your memorialist should remain in undisturbed possession.

That the late Governor General, however, in the exercise of those necessary discretionary powers with which he was vested at the important moment of putting into operation the new constitution granted to the Canadas, having determined to make certain alterations in the Council Office by which the responsibility as well as the duty hitherto performed by the clerk should fall on the chairman, whose salary was at the same time to be raised from 100*l.* to 1,100*l.* per annum, pointed out to your memorialist how much it would interfere with his plans if he persisted in retaining the office of clerk of the Council, and offered him at the same time, in lieu thereof, the registrarship of Quebec, under the law for the enregistration of deeds then lately passed by the Special Council.

That your memorialist, trusting implicitly to the faith of the British Government pledged by the representative of Her Majesty, and anxious at all times to promote the public measures of the Crown, consented to this proposal, under certain conditions, which were submitted in writing* and approved of by the Governor General, and a formal engagement was then entered into between the representative of the Sovereign and your memorialist, by which the latter agreed to give up, on public grounds, a lucrative patent appointment, involving no pecuniary responsibility, the salary of which was quarterly paid, and of which he could not otherwise have been deprived, in exchange for his present appointment, involving fearful responsibility, which will attach to your Memorialist's family for years after his death, on receiving a guarantee of certain pecuniary advantages derivable under the ordinance relative to the registration as it then stood, together with a clear annual income equal to the amount of pension on which your memorialist was from his length of services entitled to retire, under the Imperial Act, 4th & 5th Will. IV.; and further your memorialist, in his official acceptance of the registrarship of Quebec, dated 3d September 1841, expressly stipulated that in case the income derivable therefrom should not equal that he enjoyed from the Council Office, the annual amount guaranteed should not be considered as an equivalent for the loss of that office or for his claims on Government.

That immediately after the conclusion of this arrangement your memorialist proceeded, by command of the Governor General, to Quebec, for the purpose of organizing an efficient establishment to carry out the provisions of the registry ordinance, which was to be put in force on the 1st of October following. The sudden death of Lord Sydenham, however, caused a delay in this particular, and the law was not promulgated till the close of the year, when, in answer to a circular addressed to your memorialist by order of the administrator of the Government, Sir Richard Jackson, your memorialist† again referred to the conditions under which he had consented to his exchange of office, stipulating that under certain contingencies he should return to the one he had left.

That after your memorialist had held the registrarship of Quebec upwards of six months, during which he had made heavy advances out of his private means towards carrying on this public department, finding that in consequence of the evil example set by those public officers whose duty it was to enregister on the part of the Crown, and who had totally neglected to do so, the people generally held back from a compliance with the law, (equally binding on the Government and themselves,) your memorialist applied to the then Governor General, Sir Charles Bagot, for an accountable warrant to enable him to meet the current expenses of the office. This request his Excellency declined complying with, though the guarantee given to your memorialist by Lord Sydenham was at the same time fully recognized by his Excellency‡, and your memorialist's claim for indemnity for nonfulfilment entertained as fit to be considered at a future fixed period, so soon as the contingency contemplated by the guarantee should have arisen.

That immediately before the arrival of that period, however, at the next meeting of the Legislature, a bill was introduced into the Assembly repealing the clauses in the registry ordinance from which your memorialist's principal source of remuneration would have arisen, whilst at the same time the new bill, itself amending the old one, and professedly affecting the interests of every landed proprietor in the country, was rendered inoperative by a declaration in the House on the part of the organ of the Executive, (the Provincial Secretary, West, when the bill was going through the third reading, preparatory to receiving the Royal sanction,) that it was the intention of the Executive at the next session entirely to new model the bill; which declaration, coming from such a quarter, had the natural effect of rendering the people distrustful of all legislative enactments whatsoever.

That towards the close of the session, and after the virtual destruction of the registry bill, the clerkship of the Council, which had been kept open from the time your memorialist resigned it, was filled up, thereby foreclosing your memorialist's return to it.

That

* See Memorandum submitted to Lord Sydenham on which the arrangement was based, page 13.

† Mr. Ryland, 17th December 1841, Sub-Enclosure, page 17.

‡ See Mr. Secretary Murdoch's Letter, 14th July 1842, Enclosure 12, page 20.