

In addition to the above may be added the sums of 46*l.* 3*s.* and 46*l.* = 92*l.* 3*s.* paid on insurance to the Eagle Life Assurance Company of London, and handed over as a collateral security to those gentlemen who had entered into recognizances in my favour, and which, be it remembered, is not like a person being security under ordinary circumstances for the honesty of an officer holding a pecuniary trust, but here the securities of the registrar are answerable for the faults of the deputy and clerks, as well as of the registrar himself, and though it may be said that the family of the registrar will benefit by this forced insurance at his death, still it must be borne in mind that they are also held answerable for three years *after his death* for all errors and faults in his office whilst living.

(Signed) G. H. RYLAND.

Sub-Encl. 10. in
Encl. 1. to No. 6.

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Sir,

Mount Lilac, 7th December 1842.

Considering my late connexion with the Executive, and my position in society, I trust I shall not be considered guilty of an unwarrantable liberty in addressing your Excellency on a subject of a purely personal nature, involving claims of a peculiar description on her Majesty's Government.

Your Excellency is, I believe, aware that under the administration of your predecessor I held the patent appointment of registrar and clerk of the Executive Council, specially conferred on me in reward of public services, and which appointment the late Governor General received orders from the Secretary of State to sustain me in. His Excellency, however, having previously determined to effect certain alterations in the Council Office, by which the duty hitherto performed by the clerk should devolve on the chairman or president, whose salary was in consequence raised from 100*l.* to 1,100*l.* sterling per annum, pointed out to me how seriously his measures would be embarrassed by a compliance with Lord John Russell's orders on this head; acknowledging, however, his inability to deprive me of the office against my consent, and offering me the registrarship of Quebec.

Under these circumstances I considered it my duty at once to place the clerkship of the Council at his Lordship's disposal, and on the 22d of August 1841 I delivered into his hands a memorandum containing the terms on which I was willing to effect the exchange he proposed, which was agreed to, and I received Lord Sydenham's verbal directions to proceed immediately to Quebec, for the purpose of organizing an efficient establishment to carry out the provisions of the registry ordinance, which I was told would immediately be put into operation, and a solemn assurance was at the same time given me that I should be allowed the full benefit of the ordinance as it then stood. The accident, however, and the subsequent death of Lord Sydenham, prevented the promulgation of the ordinance at the time intended; nevertheless, when it did go into operation, I accepted my commission as registrar of Quebec, in the full conviction that nothing would be done on the part of the Crown to diminish the value of the appointment.

By the recent act of the Provincial Parliament, however, repealing that part of the ordinance obliging seigniors to enregister arrears of cens and lods et ventes, I have been deprived of the whole of that remuneration which it was supposed would have been a fair compensation for my exchange of office, and without the certain prospect of which I should not have consented to the arrangement; and the agreement which I made with the Executive being thus on their part broken, my position in regard to the Government becomes entirely changed, and the simple guarantee of an annual sum equal only to what I was entitled under the 1 & 2 W. 4. to retire on as a pension can no longer be considered as an equivalent for the loss of a patent appointment of the nature of the one given up by me on public grounds.

When the Imperial Parliament by its enactments affect in an injurious manner the interests of an individual, the Government invariably considers itself bound to remunerate him for his losses, and as I presume the same doctrine holds good in a British province, I think it will be admitted that my claim is undeniable.

Your Excellency will perhaps allow me further to remark, that the clerkship of the Council is one of those offices that do not require the holder to have a seat in the Provincial Assembly, consequently independent of the orders from home on this head. I could not, consistently with established usage under the British Crown, have been deprived of my office without my consent; and having given that consent, at the request and for the purpose of facilitating the views of the Executive, my case is the more specially entitled to the liberal consideration of Her Majesty's Government, strengthened as it is by the following facts; viz.

As registrar and clerk of the Council I enjoyed an income of 1,030*l.* per annum, which I received quarterly, without being called upon to make any disbursements or advances for the hire of an office, or payments of clerks, messenger, or other contingencies, nor did I incur any pecuniary responsibility, or give security for the due discharge of the duties, which were of an easy and pleasant nature, and the appointment itself (as will appear by the letter of Sir Robert Peel's accompanying the memorandum laid before Lord Sydenham) "one ranking high among the public servants of the Crown." My present appointment, on the other hand, is one without salary; the duties are very onerous; I am obliged to make advances out of my own pocket to defray the whole expense of the department; I have been under the necessity of entering into recognizances to the amount of 5,000*l.*; and I and my family for years after my death are answerable for the errors which my deputy or my clerks may be guilty of.

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