

APPENDIX.

LETTER FROM MR. RYLAND.

Warwick House, Picton, Bay of Quinté,
20 September 1861.

My Lord Duke,

I AM well aware how difficult it is for an individual, particularly a colonist, to contend against the power of the Crown, and the will of its Minister.

But I have a duty to perform to my family and others, who have incidentally suffered by the injustice I have experienced, which compels me to protest against your Grace's decision on my case, as conveyed in your Despatch of the 3d July to the Governor-General of Canada.*

It may be convenient to get rid of a just claim by a simple denial of justice, and expediency may, on particular occasions, suggest that the door should abruptly be closed against a pertinacious creditor or troublesome claimant.

But the fundamental principles of right and justice which protect society and regulate transactions between man and man remain the same, and are as binding on the Sovereign as on the subject.

I would, therefore, humbly submit that it is not competent in a Minister of the Crown arbitrarily to dispose of a case like mine by a compulsory settlement which would not hold good in private life.

Mr. Fortescue emphatically remarked, that it required two parties to an agreement. If so, it surely requires the consent of both to dissolve one.

Now, your Grace must bear in mind that my case is not one of mere ordinary hardship. It is one of gross wrong.

On my part there has never been a waver from the first moment of my negotiation with Lord Sydenham to the present period, which could in any way invalidate my claim.

Whereas, on the part of the Crown there has been a succession of official acknowledgments, amounting in fact to a direct confession of judgment that I am entitled to compensation for all losses consequent on the surrender of my office in 1841.

I fall back on this acknowledgment, confirmed by the fiat of the House of Lords; and if there is meaning in words or official language, I invoke this admission in aid of justice.

But your Grace remarks that I have advanced "no grounds upon which a departure from your previous decision can be justified."

No grounds! What new grounds are required?

Are not the facts patent and undeniable that a contract was entered into with me by the representative of the Sovereign, for the surrender into his hands, for public purposes, of a patent office of the value of 1,030*l.* per annum. That having, as admitted by Lord John Russell, a right to retain the office, I attached conditions to the surrender, which were tacitly agreed to, and never refused.

That Lord Sydenham was at the time charged with extraordinary powers which I could not inquire into or dispute, to attain a great political end, then ardently desired by the Imperial Government and Parliament, and was authorised to take every step which, in his judgment, might be conducive to that end.

That I had an acknowledged right at that time to retire under an Imperial Statute upon a pension of 515*l.* per annum for the rest of my life.

That, trusting to Lord Sydenham's verbal promises, and in the honour of the Crown he represented, I confidently agreed to his proposals, dispossessing myself of vested rights on which my family depended for their daily bread.

That the intentions of the agreement by which I was to have been secured an income equal to that which I surrendered, have never been carried out.

That in the performance of my share of the contract, I have been stripped of my property, and irretrievably ruined.

That though your Grace's predecessors in office and the House of Lords distinctly admitted my right to compensation for all my losses, 16 years were, nevertheless, allowed to elapse before any relief was extended to me, and that even then the gentleman deputed to report on my case was debarred by his instructions from examining into the most important portion of my claim—that portion, in fact, to which Lord Grey had previously acknowledged me to be entitled.

Are not these facts, my Lord Duke, I ask, patent; and is it not true that when I appealed to Parliament for a Committee of Inquiry in order to lay them more fully before a jury of English gentlemen, the Under Secretary of State, in his official capacity, stifled my appeal by a statement which has since been proved by documentary evidence, laid before your