

to screen and qualify the other similar unlawful associations that have been entered into in other places.

The next object that presents itself is the appointment of the commissioners. It is notorious that, for a considerable time after the Kingston bank had stopped payment, its notes were an object of great speculation. It was a *professed* object that no persons should be named as commissioners who had any concern, directly or indirectly, with the bank. But, I believe it is well known that two at least of the commissioners if not all had speculated largely in purchasing the notes of the bank. The Marklands held a large amount of them, bought in the States, at great discounts, by persons sent on purpose. It is besides a family-concern, Mr. Kerby is Mr. Markland's uncle, and Mr. Macaulay his cousin. The Marklands have likewise been agents for the banks of Montreal, as Mr. Macaulay is for the York-bank. So that altogether it does seem as if they were very far from being disinterested persons. It is true, it would have been difficult to have found any person of respectability in Kingston, that could be considered as perfectly disinterested; but at all events, their powers ought to have been much more limited and defined, as well as placed under greater checks than they are. In the words of a writer on the subject in the U. C. Herald, under the signature of a *disinterested spectator*. "I do not find that the commissioners, in whom the property of the association is vested, are to give any security for the faithful administration of it. Although they are clothed with extraordinary powers, both judicial and executive, and among others, the inquisitorial power of bringing their neighbours before them by warrants, to be examined on oath, and committed unless they give satisfactory answers; yet they are themselves not required to act under the usual solemnity of an official oath." And it should be added, that even their *clerk* has the extraordinary and unexampled power given to him to examine all persons upon oath, whilst he too is not bound to qualify himself for the due performance of this magisterial, or any other duty, by a similar solemn obligation! To this it has, most absurdly and *unconstitutionally*, been replied, that "the known probity and independence of principle and of circumstances of the gentlemen appointed," form a sufficient guarantee to the public, and "their honour and reputation" a sufficient tie upon themselves, for the due performance of their duty. I say *unconstitutionally*, because, according to the wise principles of the constitution of England, no man is, or ought to be, trusted in a public capacity only because he has the reputation of being trustworthy, without those safeguards and checks which the circumstances of the case will admit of. Suppose the commissioners to be men of that high standing in society which they are represented to be; I need only refer to the very institution in which they are now