

is to punish the purchaser, and reward the seller; for the property thus taken from the purchaser is not confiscated to the public use, but restored to the seller, to be holden in the same manner as if no such sale had been made. The property is therefore vested in the seller, and no relief is provided for the buyer. He is saddled with a dead loss of the price." Various actual instances of its abominable effects have been instanced. One of the parties, having long had lands in various parts of the country publicly advertised for sale, and having met with a purchaser, told him, that he apprehended the bank might fail, but being himself indebted to the bank, he would sell any of his real estate very low, and take bank bills in payment, which would be to him as good as money, in order that he might pay them in on account. The bargain was concluded, and the price paid in Kingston bank bills, which were paid into the bank. Now this sale is declared void, because it was made in contemplation of a failure of the bank. The fairness of the transfer, and the fact of the funds actually going to increase those of the bank, do not save it from the sentence of annulment. The purchaser, however, has been very properly advised to keep possession of the land, tho' not, in my opinion, so properly, to petition parliament to repeal the act, *quoad* his land, which would be admitting the right parliament have in this instance been misled to assume, to deprive him of it; a thing I contend they were utterly incompetent to do. Again: one of the officers of the bank sold a farm for £750— which was paid in Kingston bank bills, and this transfer was made with a knowledge of the failure of the bank, being after that event, and before the date of the act, consequently, altho' *bona fide* and valid at the time, it would be not only void, but is declared even to be "fraudulent" by this indiscriminating *ex post facto* law; whilst the purchaser, a stranger of good character, and respectable connections, who has gone to Scotland to fetch his family, will on his return, have the mortification to find that, by confiding in the laws of the province for the protection and security of private property, he will not only lose his farm, and the money he paid for it, but has been in the mean time condemned without a hearing, and stigmatised, by a public statute, as guilty of a fraud. Another of the officers of the bank about two years ago sold a small, but valuable, tract of land in the vicinity of Kingston. The price was paid, and the purchaser took possession, and has built a house and made improvements on the premises; but, by various circumstances, it so happened that the deed of transfer, though long before ready for execution, was not in fact executed until after the failure of the bank, and is therefore rendered void; and the owner robbed not only of the price of his land, but of the value of his erections, labour, and improvements to boot. These are amongst its actual effects: Amongst its problematical ones, is the right it would give