

“Under this legislation, the Court of Chancery has been driven to hold that although the plaintiff up to the time of the passing of the Act of 1874, had a perfectly good lien equivalent, in point of fact, to a mortgage on the property for the amount of the debt, yet the moment that Act came into operation, that lien was blotted out, because he did not fulfil the condition which the Legislature had imposed by the Act of 1874, of taking proceedings under the statute, which, at the time fixed for taking the proceedings had not even been passed.

“We commend this instance of *ex post facto* legislation and the taking away of vested rights by Act of Parliament, to the attention of the House at its present session.

“So much for this kind of legislation. But as to the subject matter involved, probably the best thing to do would be to repeal the Mechanics' Lien Act in toto. The enactment is in itself unnecessary and illogical, the wording is obscure, and its provisions unintelligible and contradictory. The Act has resulted in more harm than good to the honest and prudent mechanic. The legislation on this subject, though following in a measure a somewhat similar law in some of the United States took its origin here, and probably there also, in an improper bid on the part of politicians for the votes of what is called the ‘working class.’ It is scarcely to be wondered at, under these circumstances, that a provision conceived in such a spirit, and so carelessly carried out should lead occasionally to results as unjust as they are absurd”. And in the same volume, at p. 93, Scrutator writes as follows: “I fully concur in your views upon these Acts contained in your November number. More wretched specimens of legislative workmanship could not easily be found.

“For example, the 4th clause of the Act of 1874, respecting mortgaged lands. The last six lines are clothed in extraordinary verbiage. I have no doubt the intended meaning was that the claim of the mortgagee should be restricted to the value of the lands irrespective of the improvements made by the mechanic. The clause is too long for insertion, but if any of your readers