

## CHANCERY REFORMS.

## DIARY FOR FEBRUARY.

1. Tues. Last day for Co. Tr. to furnish to Clks of Mu. in Coun's lists of land liable to be sold for taxes.
2. Wed. *Purification of B. V. M.* Meet. Gr. Sch. Board.
4. Fri. Exam. of Law Students for call to the Bar.
5. Sat. Exam. of Articled Clerks for certificate of fitness.
6. SUN. *5th Sunday after Epiphany.*
7. Mon. Hilary Term begins.
9. Wed. Last day for service for Co. Ct. York. Interim Exam. of Law Stud. and Art. Clks. New T. Day, Q. B. Last day for setting down and giving notice for rehearing. New T. D., C. P.
11. Fri. Paper Day, Q. B. New Trial Day, Common P.
12. Sat. Paper Day, C. P. New Trial Day, Queen's B.
13. SUN. *Septuagesima.*
14. Mon. *St. Valentine.* P. Day, Q. B. N. T. Day, C. P.
15. Tues. Paper Day, C. P. New Trial Day, Queen's B.
16. Wed. Paper Day, Q. B. New Trial Day, Common P.
17. Thur. P. D. C. P. Re-hearing Term in Chancery com.
18. Fri. New Trial Day, Queen's Bench.
19. Sat. Hilary Term ends. Dec. for County Ct. York.
20. SUN. *Sexagesima.*
24. Thur. *St. Matthias.*
27. SUN. *Quinquagesima.*
28. Mon. Last day for Notice of Trial County Court, York.

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## Canada Law Journal.

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Without at all admitting that alterations in procedure or any improvement in the official staff will work an effectual reform in our Court of Chancery, or that our system of distinct tribunals of law and equity is the best, or is, or is not capable of improvement, it is obvious enough that until organic changes are determined upon, the best must be made of the present system, so that all reforms necessary to improve details in the existing procedure should be carried out by the court, if competent for the purpose, or by the Legislature, after full examination and upon accurate knowledge of the evils and defects.

It is upon this ground that we now approach the subject of Chancery Reform. To this matter the attention of the public and the legal profession has recently been directed by discussions in the public press, resulting from a movement set on foot by a large number of the practitioners in the Court of Chancery to secure greater efficiency in the working out of the various details of the practice of that Court; but unfortunately it cannot be doubted that the lay press has approached the subject in a manner betraying too clearly on all sides the presence of a spirit not conducive to a calm or healthy consideration of a very important matter.

A large number of those doing business in the Court of Chancery have for some time past made great complaints as to the way in which the responsible duties pertaining to the various offices of that Court have been performed; and that many needless delays and much consequent expense have been occasioned to suitors, as well by reason of the shortcomings of the officers, as by the apparently unnecessary and useless routine, which has been enforced in regard to many simple but important matters of practice.

We are therefore not surprised to find that a number of the practitioners of the Court of Chancery have called the attention of the judges to the subject by a petition adopted at a meeting, and subsequently presented to the judges of the Court; and we are glad to hear that the judges have signified their intention to give due consideration to the matters complained of, and to the suggestions of the deputation who presented the petition on behalf of the meeting. We have every confidence that the judges having taken the matter in hand will address themselves to the subject with that energy and ability which has always characterised our judiciary, and that the needed reforms will be carried out so far as practicable.

As to the wording of the petition itself, the constitution of the meeting where it was discussed, and the manner in which the subject was handled at the meeting, there are many opinions, some of them not very complimentary to some of the parties concerned. But, though this may be mentioned as an incident connected with the inception of the proceedings, it is not material to our purpose further to allude to it, and we shall now proceed to discuss the chief causes of complaints referred to in the petition.

They concern—1st, the Master's office; 2nd, the Registrar's office; and 3rd, the Secretary's office. The importance of having the office of Master filled by a man of ability as well as strict integrity will be admitted by every one who is at all aware of the duties discharged by that officer. He is not a mere ministerial officer; he is a *judicial* officer. Nor are the questions disposed of by him of a trifling character. Many thousands of pounds are frequently involved in the references submitted to his judgment. He is daily called upon to hear and weigh evidence often submitted without a thorough examination, and under circumstances which render it more