253), or by taking the bill off the files upon a summary application for that purpose before answer: *Westbrooke* v. *Browett*, 17 Gr. 341.

In this case of *Westbrooke* v. *Browett*, it became necessary for the Court of Chancery in this Province to act for the first time upon the rule that the subject of the suit was too trivial to justify its taking cognizance of it. The Chancellor (Spragge), with his usual care, adverted to the fact that, in his view, the plaintiff was not left without remedy, as the matter appeared to him to be within the competence of the Division Court. The next case in Ontario was *Gilbert* v. *Braithwaite*, 3 Chy. Ch. 413, on an appeal from the referee, who dismissed the bill on the ground that the amount involved was only $24. The Court upheld the order, referred to Lord Bacon's ordinance as being in force here, and gave no effect to the weighty argument of Mr. Moss, that the plaintiff would be without remedy in any other court if the bill was not sustained. Upon this point, we think the authority of this case might well be examined, if it came before the Court of Appeal. The only other reported decision in this Province is *Reynolds* v. *Coppin*, 19 Gr., 627. There Blake, V.C., refused to grant an administration order at the instance of a legatee whose claim was only $28, although it was alleged that there were other legacies remaining unpaid, amounting to a considerable sum. We incline to think that in that case the Judge might have properly exercised his discretion to grant the order, but his refusal did not involve the loss of the amount, as steps could be taken in another court to enforce the payment.

Since the Administration of Justice Act, it may be deemed that the rules of Chancery we have been considering are abrogated by the statute. The jurisdiction of that Court is now made in effect co-ordinate with that of the Common Law courts. The Court of Chancery, therefore, could not now decline jurisdiction in any case when the sum claimed is over forty shillings, and the exceptions which obtain in the Common Law courts should also be given effect to in Equity.

It is on principles analogous with those which we have been considering, that the Court of Chancery proceeds in declining to entertain appeals from the Master when but a small pecuniary amount is at stake. Thus in *McQueen* v. *McQueen*, 2 Chy. Ch. 344, where it appeared that no principle was involved, Spragge, V.C., refused the ear of the Court to a dispute respecting ten dollars. Reference may also be made to *Re The National Assurance and Investment Association*, 20 W. R., 324, before the Lords Justices, in which they declined to hear an appeal from the Master of the Rolls in a winding-up proceeding, arising out of the application of a solicitor to have a lien declared in his favour for the amount of his costs of proving a claim, which had been taxed at £1 15s.

THE TRANSFER OF REAL ESTATE.

(*Communicated.*)

We see in the April number of the *Canadian Monthly* a paper by Mr. Holmested, in which some suggestions are made for the amendment of the law relating to real estate. The proposals made in this paper may be classed under two heads, viz.: first, the simplification of our present system of land transfer, and secondly, the assimilation of the law of real and personal property as far as possible, so as to make the law relating to realty conform to that which governs personalty.

With regard to the first proposition, it is almost needless to say that the evil