the county courts there are men whose attainments would have done honour to the bench, yet that ordinarily these judgships are not the prizes to which the highest aspirants for office among lawyers usually look, and that the less elevated the rank in the profession from which judges are selected, the less likely is it that they will be found competent to grasp not only the subjects of their previous study and practice, but subjects so vast, so intricate, and in many respects so perplexing as daily exhaust the attention of the most eminent of our equity lawyers.

I assume, on the whole, that it must be conceded that, in order that the administration of equitable justice locally may be efficient, the judges must be men who thoroughly understand its principles and practice.

It remains to be remarked, that the judicial work of the county court judge ordinarily begins and ends with the trial.

Not so with a case in equity. At the hearing, questions of law, or fact, or both, are sometimes decided; at other times, they are merely indicated, and are left to be worked out at chambers, and a decree or order is pronounced, or rather is sketched out. Now, the union of learning, and acuteness, and labour, that must be brought to bear to fill up this sketch, and which elaborates the written decree or order, can be appreciated only by those who are familiar with the actual practice of the registrar's office, where all these decrees are drawn up with careful accuracy.* Then, again, inquiries are to be made; intricate, inaccurate, and defective accounts are to be unravelled; the affairs of a family or of a partnership are to be settled in a manner that raises innumerable questions, each sometimes equal in difficulty to any that can form the sole question in a cause in a county court, or at law, in Westminster Hall. All this machinery elaborates at last a certificate of results, which in time forms the foundation for reconsideration; or if the cause shall have escaped that ordeal, then for final adjudication, in the presence, as very frequently happens, of numerous parties, each having an interest conflicting with that of every other party, or between the creditors, relatives, and legatees of some clever testator, who has created every possible difficulty by his self-satisfying autograph will, or of some intestate who has little else to bequeath to posterity but the arrangement of his embarrassed affairs.

A Court which has to give to any locality the benefits of equitable justice must, to meet all the objects above indicated, be not only presided over by a judge learned on all these subjects, but have able officers representing the registrars, competent to reduce the decrees into proper written form, and also supplying the place of chief clerks. under the judge's direction, to pursue the inquiries and adjust the accounts, and settle the priorities and rights of the parties.

These considerations lead up to the conclusion that any alteration which localises equitable trials without all these provisions, may possibly increase litigation, but that it will be without the result of an adequate administration of justice.

To supply the machinery of competent judges and officers, necessary to insure any prospect of success to local equitable jurisdiction throughout England, would require an expenditure for which the public is not as yet prepared. Discussions in Parliament would, doubtless, do much towards a due appreciation of the question. But this effect is usually of slow growth. It seems therefore desirable that an attempt should at once be made, if possible, to set up some one court within some one district, to demonstrate what such courts should be and what they can accomplish. This might be done if the consent of the judge and the suitors were obtained, and by a very short Act of Parliament constituting the Chancery Court of the Duchy of Lancaster to be such a court, with exclusive jurisdiction over all cases in which the subject-matter chiefly lies within the locality, and to an extent in amount or value, to be settled after due consideration, and giving to the vice-chancellor of the court in this county as its judge the most ample authority, and indeed, direction to simplify the practice and pleading by such orders as should, in his judgment, tend to render the proceedings as simple and inexpensive as possible.

Among the advantages of this plan would be the following:—

1. That it would at once relieve the High Court of Chancery from a portion of its labours, which has been proposed to be done by the appointment of a fourth vice-chancellor, and thus render the plan unnecessary.

2. That the machinery is already complete and in operation

3. That the expense of the experiment thus limited to one locality would, under *any* circumstances, and with whatever result, be small.

4. That the judge and officers being the only persons conversant with a local practice, as already localised, they are at once best able to appreciate the difficulties and wants of a local equity court, and to improve the working of the system, if powers sufficiently large for the purpose were entrusted to them. It does not become me to do more than allude to those personal qualities and attainments which eminently fit the judge of the courts, now held within this hall, to superintend the formation of a code of practice and procedure fitted for local courts generally, and to work out the proposed experiment.

5. The court, when the plan shall have worked itself into a regular shape, would form a system which might be gradually and safely extended.

6. The plan would avoid the enormous loss incident to the miscarriage of any general scheme.

7. But the working of this proposal would be no impediment to any ventilation, by discussion, of the general subjects in Parliament or elsewhere.

8. The time which would elapse before this plan would be so far matured as to be introduced throughout England, would afford an opportunity for the consideration of the question whether, and to what extent the various provisions already made for disposing of matters of local jurisdiction may not be improved.

It appears to me that much may be done by re-arranging the duties of the various judicial and quasi-judicial officers throughout the country, to provide, at a comparatively small cost to the country, the additional judicial and administrative strength necessary to introduce a local equitable jurisdiction throughout England.

In addition to the sixty county court judges, we have about one hundred recorders of cities and towns, and a number of revising barristers. Now all the duties of recorders and revising barristers might well be performed by the county court judges. thus ultimately producing a great saving in these salaries. Again, we have a number of commissioners, and registrars in bankruptcy, and commissioners in insolvency, and commissioners and inspectors of charities. Now, the questions which most frequently come before these judicial persons are merely equitable, and surely such arrangements could be so made as that bankruptcy, insolvency, and public charities should be committed to the same judicial officers as the lawyers to whom the local administration of equity shall be entrusted.

This arrangement of judicial duties would go far to supply the necessarily increased judicial force which the establishment of local equitable courts would require.

There are other judicial or quasi-judicial functions, including those performed under the Court of Probate, now separately provided for, which might well be merged in the local court jurisdiction in law or equity.

But further, it is not improbable that some system of registration of titles will ere long pass into a law, over which it will be proper that gentlemen well versed in real property law

* The variety and intricacies of decrees in Chancery can be best in some degree understood from "Seaton on Decrees in Chancery."