

ARTICLES
ON
THE COURT OF CHANCERY
AND
THE FUSION OF LAW AND EQUITY.

"Leader," February 29th, 1863.

None will dispute, while all are well aware of the great advantages which result from simplicity in judicial establishments. Confining to a limited number of judges, resident at the seat of the courts, discussions upon questions of law, whilst the same judges on their several circuits preside over the trials of fact before juries in their respective counties, tends at once to produce order and regularity in process, impartiality in the trial of issues, and above all, those most important objects in the administration of justice, uniformity and certainty of decision. We are fully sensible, on the other hand, that numerous disadvantages exist, in every country that ought to be governed by a uniform law and uniform practice, in having different and opposing systems of jurisprudence—in other words in sustaining distinct courts for the administration of law and equity.

We do not say that on investigation it will be found that our Court of Chancery administered as a Court of Equity is unsatisfactory or that its practice is, on a question of the actual labour employed, in proportion more expensive than the courts of common law. Its judges are men of high legal acquirements and its officers for the most part efficient.