

but it will be seen that much of the duty hitherto discharged by the Master is to be devolved on the Judge.

Besides hearing cases, and deciding, in the first instance, with the same powers heretofore exercised by the Master of the Rolls, he must hear and decide on applications for immediate execution, and give directions. This is no light responsibility. He is to decide in case of an absent person, whether there are good *prima facie* grounds for filing a Bill against him. To a Judge not conversant with the principles of Equity, this investigation may often be an embarrassing one; and he may be called on to express an opinion on a variety of matters. He is to decide on exceptions to the answer, or to the Plaintiff's answer to interrogatories; and on alleged impertinences, without their being excepted to, on a simple application, and without any previous reference.

After the cause is at issue, and before proof or hearing, he is to determine what allegations on both sides are admitted by the pleadings, and direct proof to take place on the allegations not admitted. This will call for a careful perusal of the pleadings in all contested cases. He may be called on for orders for the production of documents. Whenever an issue may be found necessary, he is to order the same; and, in an injunction case, may be called on to hold a special Court to try the same. There are many other matters, which might appear light and insignificant to an experienced Equity Judge, but which may prove very perplexing to an inexperienced one, whose mind is occupied with various other judicial matters. I do not attempt to enumerate all the *improvements*. There is, however, one very serious and most inconvenient addition to the duties of a Judge prescribed, which must be noticed. All cases in Equity, after issue, and after the Judge shall have settled the points admitted or denied by the pleadings, are to be heard on evidence taken *viva voce* in open Court before the Judge at one of the monthly sittings at Fredericton; or

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