

would bring local business to the capital; yet that which can advantageously be done in the country before Master's extraordinary, or examiners, or otherwise, should be done there. I was much amused with the reply of a gentlemen in New York to my question, as to how they did Equity business without Masters. He said, "we dont do without them; we call them Commissioners." There is little analogy between the Chamber business of a common law judge, and that done in the Master's office. In cases where I have seen that I could save a reference I have done* so.

That the Legislature approve of reforming the practice by orders is apparent, for one of its last acts was to reinvest His Excellency and myself with the same power, under which the improvements in the pleadings and practice of the Court have been made. Legislative power then, in this respect, being possessed by its judges, it would seem to be superogatory to resort to special legislation for that purpose. To do so, will appear to imply that they are unable or unwilling to perform their duty. It will certainly incur the risk of marring the work I am gradually performing, and which only can be well performed step by step. In so far as I have yet proceeded, I have been encouraged by commendations in both branches of the Legislature; acceptable to me because I did not seek or expect them.

If, however, it shall be your pleasure to recommend legislation, and that of the Assembly to legislate on the practice; yourself, and your coadjutors may assure it, that I will enforce its enactments, to the best of my ability.

Unlike Newfoundland, and our East Indian possessions, law and Equity have always been administered by distinct tribunals in this Province, and a Chancellor and a Court of Chancery interwoven with our judicial and political institutions. To dispense with both, if the public good require it, is a public duty; but that serious enquiry should precede a measure so important, would seem to be a duty no less imperative.

Such an enquiry is now in progress. The country will await with anxiety the report of a Commission, comprising its most distinguished men, whose members have been honored, not merely by the nomination of the Executive Government, but by having

* It requires no Act of Assembly, or order to authorize the Master of the Rolls to do any thing, that a Master can do. He may do so virtute officii.