16 Vict., c. 19 (C.S.U.C., c. 15, ss. 33, *et seq.*), but the provisions of the law conferring equity jurisdiction upon it were repealed by 32 Vict., c. 6, s. 4, leaving the County Court with common law jurisdiction only."

The Judicature Act (R.S.O., c. 44) did not alter the jurisdiction of the County Court, but only made applicable to matters cognizable by the County Court the several rules of law thereby enacted and declared.

It was argued that the action was a "personal action," but the learned Chief Justice declares that that expression can only apply to actions of a common law character. He further points out that where a County Court has no jurisdiction over the subject-matter of the action, there is no power to transfer it from the County Court to the High Court under the County Courts Act (R.S.O., c. 47), s. 38. The other case to which we referred is *Whidden* v. *Jackson*, 18 A.R. 439 (see *ante* Vol. xxvii., p. 410), where the Court of Appeal holds that when the claim of a creditor is disputed under The Act Respecting Assignments and Preferences (R.S.O., c. 124), the action to establish the claim as against the assignee cannot be brought in a County Court, no matter what the amount of it may be, for the same reason, viz., that the action is one for equitable relief and the County Courts have no equity jurisdiction. This is a defect in the law which ought to be remedied as speedily as possible.

It appears to us to have been too rashly assumed by MacMahon, J., in *Regina ex rel. McGuire* v. *Birkett*, 21 O.R. 162, that the decision of the Master in Chambers in a controverted municipal election proceeding is final. The learned judge's reasoning seems to be as follows: The Master in Chambers has the same jurisdiction as a judge by virtue of Rule 30, and 51 Vict., c. 2, s. 4, (O.), to entertain such applications: but by R.S.O., c. 184, s. 207, the decision of a judge is final, therefore the decision of the Master in Chambers is final. But we think the premises do not necessarily support the conclusion. It may be conceded that the courts have rightly decided that the Legislature of Ontario had power to delegate jurisdiction in these matters to the Master in Chambers, but it must be remembered that the same rules which confer that power on him also provide that "any person affected by any order or decision of the Master in Chambers . . . may appeal therefrom to a judge of the High Court in Chambers": Rule 846. This rule is very general in its terms, and is not confined to orders made in actions. Orders made in controverted municipal election proceedings are therefore apparently within its scope. But the point is not altogether without authority; at least two cases are to be found in which a similar question has been raised in England, and the expression of opinion has been in favor of the right of appeal. In *Bryant* v. *Reading*, 17 Q.B.D. 128, the point was whether an order of a master made in an interpleader matter was subject to appeal. By Ord. lvii, r. 11, the order of a judge is made final: and it was contended that because the order of a judge was final, and the master was entitled to exercise the jurisdiction of a judge in such matters, therefore his order was final. But Lord Esher, M.R., said: "I think this argument may well be contested on