686 *pounds per annum, for the past year, or so much as has become due and remains unpaid; with legal interest on such

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Court of law should invariably be determined, you have fondly introduced your own unsettled notions of equity and substantial justice. Decisions given upon such principles do not alarm the public so much as they ought, because the consequence and tendency of each particular instance is not observed or regarded. In the meantime, the practice gains ground; the Court of King's Bench becomes a Court of equity; and the Judge instead of consulting strictly the law of the land refers only to the wisdom of the Court, and to the purity of his own conscience."

Lord Redesdale speaking of the same Judge says, "Lord Mansfield had on his mind prejudices derived from his familiarity with the Scotch law, where law and equity are administered in the same Courts, and where the distinction between them which subsists with us is not known, and there are many things in his decisions which shew that his mind had received a tinge on that subject not quite consistent with the Constitution of England and Ireland in the administration of justice. It is a most important part of that Constitution, that the jurisdictions of the Courts of law and equity should be kept perfectly distinct; nothing contributes more to the due administration of justice. And though they act in a great degree by the same rules, yet they act in a different manner, and their modes of affording relief are different; and any body who sees what passes in the Courts of justice in Scotland, will not lament that this distinction prevails. But Lord Mansfield seems to have considered, that it manifested liberality of sentiment to endeavor to give the Courts of law the powers which are vested in Courts of equity; that it was the duty of a good Judge *ampliare jurisdictionem*. This I think is rather a narrow view of this subject; it is looking at particular cases rather than at the general principles of administering justice, observing small inconveniences and overlooking great ones."—(*Shannon* v. *Bradstreet*, 1 Sch. & Lefr. 66; *Sugden's Letters*, 4.)

As has been observed in relation to this matter by our own great sage, "the only natural improvement of the common law, is through its homogenous ally, the Chancery, in which new principles are to be examined, concocted, and digested. But when, by repeated decisions and modifications, they are rendered pure and certain, they should be transferred by statute to the Courts of common law and placed within the pale of juries." (4 *Jeff. Corr. let.* 104.) And in relation to those alterations of our Code, so frequently made by the most crude and ill-digested scraps of legislative enactment, he observes, that "the instability of our laws, is really an immense evil. I think it would be well to provide in our Constitutions, that there shall always be a twelvemonth between the engrossing a bill and passing it; that it should then be offered to its passage without changing a word; and that if circumstances should be thought to require a speedier passage, it should take two-thirds of both houses, instead of a bare majority."—(2 *Jeff. Corr. let.* 117.)

In these points of view then, a Court of Chancery is not only a useful, but an indispensable part of our judicial system. And, when the proper judicial duties of a Chancellor are thus compared with those of a Judge of a Court of common law; and especially with those which are, alone, properly assignable to a Court of the last resort, it cannot fail to strike every one, that those of a Chancellor, independently of all his other irregular aud incidental duties, must require a vast deal more skill and labor than those of a common law Judge in any situation whatever; and that the larger amount