the general power of the chancellor, though it is not the first in course.

The act of 1789, ch. 35, ordains as follows—viz. "That "in all disputes which may hereafter arise before the chan- "cellor, as judge of the land office, he shall have full power "and authority to decree thereon according to equity and "good conscience, and agreeably to the principles established "in the high court of chancery, as if the matter were brought "before him by a bill in chancery."

From the language of this section it may, perhaps, be thought that I have gone too far in supposing that nothing new has been introduced relative to the principles of decision in the land office; and it might seem presumptuous in me to attempt to judge of the effect of the latter part of the provision, unacquainted as I am with what a chancellor may or may not do in a matter brought before him by a bill in chancery. It is not improbable, besides, that the late chancellor, who was appointed in the year 1789, may have been concerned in drafting this law, and if so, he must have been well informed concerning its intention, and the occasion that existed for such a provision; but, although the section forms but a single sentence, it embraces two distinct considerations, namely, *principle* and *form*. As to principle, I still think that nothing substantially new was introduced; for, "equity and good "conscience" can mean nothing very different from "right "reason and good conscience," which formed the rule of action of the former judges of the land office; but in regard to special authorities, and forms of proceeding, I suppose that something new was introduced by this law, and yet not much; for when it is recollected that the person who by the act of 1781 was to decide contests in the land office was the *chancellor*, an officer already clothed with authority to decide, on principles of equity, upon every dispute that came before him in that character, and that no new principle was then ordained further than concerned a distinction between old and new cases, it must be admitted that this law can have done little more than to make those principles special and positive which before were incidental and implied: and, to prove that the sphere of authority, as to matter or substance, was not enlarged, the chancellor does not vacate a patent under the general provisions of the law of 1789 although he does it on a bill or complaint in chancery, and is also authorised by that act to vacate a patent in a case therein described, as judge of the land office. I have no design in labouring this point but to set the principles of decision in the land office in a clear and full light. The reason for my saying so much upon the subject will be found in the adjudications of the late chancellor, who seldom decided a case of importance without some