

in consequence, took occasion to declare from the Bench shortly afterwards, that "he never liked equity so well as when it was like law;" and Lord Eldon, in allusion to these remarks has this entry in his anecdote book: "With all deference to these great men, law and equity ought to be considered as distinct systems; and that they are so considered and kept apart in England is, perhaps, one of the best provisions of our constitution."

In another place, in allusion to a phrase of Lord Chief Justice Kenyon, *abi in malam rem*, when he found that a party to a suit at law had justice in his case, but no relief at law, and therefore referred him to Chancery, Lord Eldon remarks: "I have heard dozens of common lawyers flippantly abusing Courts of Equity upon the authority of this piece of Latin of Lord Kenyon, and it is much to be lamented, perhaps, that the authority of so great a lawyer (who so thoroughly well knew how defective and insufficient the common law would be to answer the exigencies of complete justice, and how absolutely necessary the jurisdiction exercised in the Court of Chancery is,) can be resorted to in support of that abuse of such a court by those who may know the practice of courts of law, but who are certainly most astonishingly ignorant of the nature and principles of the jurisprudence of this country taken altogether, and of the necessity of that separation of courts of law and equity, which so mainly contributes to the complete and effectual administration of justice in this country,