

sideration of the bill be postponed six months; and it was subsequently withdrawn. Lord Eldon's connection with this miserable phase of English history must be dismissed without excuse, since it is utterly inexcusable.

In 1821 he was raised to an earldom by the king, whose cause he had served so well. The royal patent conferring the new honor recited that it was bestowed in consideration of the "distinguished ability and integrity which he had invariably evinced in administering the laws in his office of chancellor during the period of nineteen years." He took his seat in the House of Lords shortly afterwards as an earl, and was warmly greeted by his brother peers of all parties, with whom he was always a universal favorite.

He was much annoyed during this, the second, period of his chancellorship by the frequent complaints of delay in the business of his court, and he seems to have been exceedingly sensitive to criticism upon this point. These complaints seem to have increased as his term went on, and in 1811 they had become so frequent that he was reluctantly compelled to refer the subject to a select committee in the House of Lords, and a motion was made for a similar committee in the Commons. Jeremy Bentham, whose iconoclasm in all matters of law reform could ill brook the conservatism of Eldon, was especially bitter in his abuse of the chancellor because of the delays in his court. And the fifth volume of Bentham's published works contains a most bitter philippic directed against Eldon and his court because of the delays and expenses incident to chancery litigation. Indeed, Bentham seems to have hated him from first to last with the most malignant and unsparing hatred, and omitted no opportunity of giving expression to his spleen.

The press, too, lent itself to the propagation of absurd rumors concerning the chancellor's delays. It was asserted that many who had large sums of money due them, locked up in chancery, owing to the doubts and delays of the chancellor, actually died of poverty and a broken heart; and that their ghosts might be seen between midnight and cock-crow flitting around the accountant general's office. Equally absurd stories were invented of a cargo of ice having melted away, and a cargo of fruit having

rotted away, while the chancellor was doubting what his judgment should be upon a motion for an injunction.

One Taylor, a member of the House of Commons, came to be known as especial guardian of litigants in chancery, and at each recurring session of Parliament, year after year, he introduced a resolution calling for an investigation of the delays in the Court of Chancery. How sorely these complaints vexed the chancellor is apparent from a letter of his written in 1812, a committee of the Commons being engaged in one of these investigations. He writes: "I have now sat in my court for about twelve months, an accused culprit, tried by the hostile part of my own bar, upon testimony wrung from my own officers, and without the common civility of even one question put by the committee to myself in such mode of communication as might have been in courtesy adopted. When I say that I know that I am, and that my officers and that my successors will be, degraded by all this, I say what I think I do know."

But while the chancellor was not wholly blameless for the great delay in the dispatch of business, the fault was more the fault of the system than of the judge who administered it. The country had outgrown the Court of Chancery. The court had still but two judges, the lord chancellor and the master of the rolls, just as there had been since the reign of Edward I., while its jurisdiction and its business had increased tenfold.

So great had become the complaints of the existing system that, in 1813, Lord Eldon procured the passage by Parliament of a bill for the appointment of a vice-chancellor, for the double purpose of relieving the Court of Chancery and the House of Lords, where appeals and writs of error had accumulated so that it was many years behind in its appellate judicial business. Campbell, with his accustomed sneer, remarks upon this measure: "I am sorry that the vice-chancellor's bill, which had become indispensable for Lord Eldon's own convenience, is the only instance of his doing anything for the improvement of our institutions."

But however little he may have done for the improvement of English institutions or English laws, he certainly dispatched an immense