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THE  
PUBLIC AND PRIVATE  
LIFE  
OF  
LORD CHANCELLOR ELDON,  
WITH  
SELECTIONS FROM HIS CORRESPONDENCE.

BY  
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ONE OF HER MAJESTY'S COUNSEL.

IN TWO VOLUMES.  
VOL. I.

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*'Επιτοχαι. οστι το ταχὺ τὸν δίκαιον ἔχει  
ἔργασι δὲ μίθῃι κλειότερα ἀρῶσιν σοφίῃ.*

EURIP. *Phœnix*. 455, 6.

Stay: speed secures not justice: 'tis slow counsel  
That most works wisdom.

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PHILADELPHIA:  
CAREY AND HART.  
1844.

that the king has been pleased to make me chief justice of the Common Pleas and a peer. I feel that, under the blessing of Providence, I owe this,—I hope I may say I owe this,—to a life spent in conformity to those principles of virtue, which the kindness of my father and mother early inculcated, and which the affectionate attention of my brother, Sir William, improved in me. I hope God's grace will enable me to do my duty in the station to which I am called. I write in some agitation of spirits, but I am anxious to express my love and duty to my mother, and affection to my sisters, when I first subscribe myself,

“Your loving and affectionate son,

“ELDON.”

(*Lord Eldon to his brother Henry.*)

“My dear Harry,

“I would write you a longer letter, but I am really so oppressed with the attention and kindness of my friends, that I can't preserve a dry eye. God bless you and my sister; remember me affectionately to Mr. and Mrs. Forster. You shall hear from me again. With the same heartfelt affection with which I have so often subscribed the name of J. SCOTT, I write that of your affectionate brother,

“ELDON.

“Lincoln's Inn, 20th July, 1799.”

(*Lord Eldon to the Rev. Matthew Surtees.*)

“July 22d, 1799.

“My dear Mat,

“I am unable to express the feelings which your kind letter occasioned. In truth, such expressions of regard and good opinion, as upon this occasion I have received, whilst they administer a consolation which is invaluable with reference to what is past, I am afraid, at the same time, must oppress me with the apprehension that a greater demand is made upon me with respect to the future than I shall ever be able to satisfy. But experience has proved, in my own case, that so much indulgence is given to men acting with upright intentions, that I occasionally indulge a hope that I may be able to execute satisfactorily the important duties of that great and important station which an English judge holds. I have quitted a station of great anxiety (such as I hope is unlikely to attend the office of attorney-general in after times) and of great emolument, for a situation of dignity and ease, and of infinitely less pecuniary advantage. I am sorry to add that I am not aware that it furnishes me with any new powers of attending to the advantage of others effectually. I have some reason to believe that it may not eventually render more uncertain than it was, the prospect of attaining the highest situation in the law. If the king's pleasure should ever call me out of the quiet and retirement in which it has now placed me, may I hope you will give me credit when I assure you, that as strong a motive for change as I can act upon will be found in the reflection, that the sacrifice of my own ease and comfort may enable me to gratify some anxiety about you! This change, however, is too uncertain to be much relied upon. As a symptom that I wish for connection, may I hope that you will gratify the first request of the kind which, as a peer, I have made, *viz.*, that you will wear my scarf as my first-named chaplain, under the statute of Hen. 8! Your sister, who has been considerably agitated by this change, requests the love of you, and her sister whom she does not yet know. John is gone into Wales. The rest of my family are all well. God bless you, dear Mat, and believe me, *alterum sed eundem*, and, with *mutuo nomine* only,

“Your faithful and affectionate

“ELDON.”

Lord Eldon preserved, among his papers, the following hexameters upon his peerage. The author's name is not annexed: he had probably no very intimate acquaintance with the family of Scott, as he mistakes the Durham estate of Eldon, whence the title is taken, for those Eldon or Eildon hills in Roxburghshire, which are associated, in poetical records, with the name of Thomas of Erceldoune, “the Rhymer.”

ON SEEING IN LAST NIGHT'S NEWSPAPER THE INTENDED PROMOTION AND TITLE OF SIR JOHN SCOTT.

Montes, haud Musis incognita nomina, montes  
 Clastrum olim regnorum atque alia repagula belli,—  
 Vos quando, arma minata armisque educta, colebat  
 Libertas montana sibi, (dum fata vetabant  
 Imperii pacem, atque uni submittere sceptrum),—  
 Marti olim sedes, et jam celebrata Minervæ!  
 Montibus hisce novum decus addidit ipse, coronam  
 Hinc Themidi intexens: titulos virtute paratos  
 Hinc dedit: et patriæ pueros gratatur honores.\*

Lord Eldon's elevation to the peerage having entitled him to add supporters to his arms, this opportunity was taken of introducing into his escutcheon some honourable augmentations, commemorating the high position now attained both by him and his brother, in different branches of the law. †

\* Which may be thus rendered:—

Hills, not unnamed in song,—hills, once the bound  
 Of kingdoms, and high barrier of their wars,  
 While Mountain Liberty, menaced with arms  
 And arming, till'd you, (fate forbidding yet  
 An Empire's peace, a single sceptre's sway),—  
 Seats once of Mars!—Minerva decks you now  
 With a new grace,—from you, a coronet weaves  
 For Themis—gives, from you, the title won  
 By merit—and upon these honours pure  
 Congratulates the land!

† NOTE BY THE PRESENT EARL.—The grant of the garter king of arms bears date the 10th of October, 1799: and, after reciting his majesty's letters patent which bestow upon Lord Eldon the honour of the peerage, and the earl marshal's warrant authorizing Sir Isaac Heard, garter principal king of arms, "to grant to the said John Baron Eldon such supporters as may be proper to be borne by him, and by those to whom the said honour shall descend, in virtue of his majesty's said letters patent of creation, and also to grant, confirm and exemplify, in the same patent, the arms borne by his family, with such variation as may be necessary, to be borne by his lordship, and his descendants, and by those of his late father, William Scott, deceased:" the instrument proceeds thus: "I, the said garter, with the consent of the said earl marshal, and by virtue of my office, do by these presents grant, confirm and exemplify, to the said John Baron Eldon, the arms following, that is to say: Argent, an anchor erect, sable, between three lion's heads, erased, gules; on a chief wave azure, a portcullis Or; and for crest, on a wreath of the colours, a lion's head, erased, gules, gorged with a chain, a portcullis therefrom pendant, Or, (a mullet for difference,) to be borne by him, and his descendants, and by those of his said late father, William Scott, deceased. And I do also, by these presents, grant unto the said John Baron Eldon the supporters following: viz., On each side, a lion guardant proper, gorged with a double chain, a portcullis attached thereto, gold, from which is suspended a shield argent, charged with a civic wreath, vert; as the same are in the margin hereof more plainly depicted, to be borne and used for ever hereafter by him the said John Baron Eldon, and by those to whom the said honour shall descend, in virtue of his majesty's said letters patent of creation: in witness," &c.

At the commencement of this work, it was mentioned that Lord Eldon and his family, before his elevation to the peerage, bore the coat of arms and the crest of the Scotts of Balweary.

A seal, that belonged to his eldest son, engraved with the crest, and a shield on a panel in the hall of University College, Oxford, charged with the arms of his brother William Scott, are instances still remaining of the family having so worn them.—The addition made in October, 1799, of the chain and portcullis on the crest, and of the portcullis on a chief in the shield, were granted in record of Lord Eldon having become chief justice of the Common Pleas, and as such, wearing, on state occasions, over his robe, the collar decorated with that badge of the sovereign from whom his

Lord Eldon took his seat in the House of Lords on the 24th of September, 1799, introduced by Lord Grenville, then the leader of administration in that House, and Lord Walsingham, then chairman of the committees.

On the 6th of November, which was then the first day of Michaelmas term, Lord Eldon was admitted a member of the Society of Serjeants.

He was succeeded in the office of attorney-general by the then solicitor-general, Sir John Mitford.\*

Lady Eldon, in all her anticipations of her lord's judicial promotion, had been much fretted by the consideration that he would have to assume the ordinary head-dress of the common law judges, a powdered bush-wig. She had, therefore, induced him to sit for his portrait while he was yet but attorney-general, so as to make sure of preserving a record of his features undisguised by the obnoxious peruke: and the portrait which was painted by Sir Thomas, then Mr. Lawrence, (and which remained in Lord Eldon's possession to

authority was derived. The anchor, together with the azure colour and wavy border of the chief, on which ordinary of the shield the portcullis is placed, are commemorative of the elevation of his brother, William Scott, to the bench as judge of the High Court of Admiralty.

The supporters appropriated to the title of Eldon again present the chain and portcullis; and the shield with the civic wreath attached to them, forms another emblem of the high civil distinctions which the brothers had attained.

Heraldry is generally understood to admit of an arbitrary assumption of mottoes; nor is it customary to embody them in the wording of an heraldic grant; but in the margin of this grant to Lord Eldon, where the whole is depicted as usual, the Latin words "Sit sine labe decus," signifying "let honour be without stain," are adopted as the motto, being those suggested at the time by Lord Stowell, and which do not appear to have ever been used before, either by the Scotts, or by any other family.

We find the same motto again used afterwards by Lord Stowell himself in the margin of the grant of supporters, which, when he had been created a peer, July 17, 1821, it became necessary to make to him, and which grant bears date December 7th of that year. From Lord Eldon's supporters, those of Lord Stowell differed in this respect only, that instead of the shield argent being "charged with a civic wreath vert." it is "charged with an anchor erect sable," as more peculiarly appropriate to the office of judge of the admiralty, which, at that time, he had already held for twenty-three years.

When Lord Eldon took his seat as a baron, he delivered his pedigree, according to the usual course at that time. This pedigree has been lost, like most others, as I have learnt from Mr. Leary, the librarian of the House of Lords, who has collected and caused to be bound for the library of the House such pedigrees of peers as he was able to find undestroyed.

It is now no longer the course of the House of Lords to require pedigrees to be delivered on similar occasions; which Mr. Leary told me was principally owing to Lord Eldon, who thought such a practice opened a channel which might, in some cases, be applied to fraudulent purposes.

\* **NOTE BY THE PRESENT EARL.**—When the appointment of Sir John Scott to the office of solicitor-general, in 1798, was stated to the reader, the parallel progress of his brother, Sir William Scott, to the office of king's advocate-general, and to other appointments, was mentioned. Since that year, Sir William Scott had received the appointment of master of the faculties, on the 3d of April, 1790; he had been elected to the bench of the Middle Temple, July 5, 1794, where he held the office of treasurer for the year 1807-8; and in the year previous to the one in which Lord Eldon was elevated from the office of attorney-general to the judgment seat, Sir William Scott became judge of the High Court of Admiralty of England, by letters patent of King George III., which bear date October 26, 1798, and he was sworn of his majesty's most honourable private council, on the 31st of the same month.