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

BY
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IN TWO VOLUMES.
VOL. I.

*'Επιτοχαι. οστι το ταχὺ τὸν δίκαιον ἔχει
ἔργασι δὲ μέθοις ἀλλοίωτον ἀρίστην σοφίαν.*

EURIP. *Phœnix*. 455, 6.

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

PHILADELPHIA:
CAREY AND HART.
1844.

CHAPTER XXXI.

1810—1811.

Permanent illness of George III.: meeting of Parliament: letter of the queen to Lord Eldon: deliberations of Parliament on the mode of supplying the executive powers: struggle of parties: ministerial plan for investing the Prince of Wales with a restricted regency: remonstrance of the royal dukes: letter of the Duke of Cumberland to Lord Eldon: fiscal difficulty in default of sign manual.—Admissibility of proxies in committees of the House of Lords.—Offer of regency accepted by the prince.—Commission for the regular opening of the session.—Proposal for committing the control of the royal household to the queen: attack of Lord Grey upon Lord Eldon: Lord Eldon's vindication of himself and of that proposal: debate on period for cessation of restrictions: further discussions on lord chancellor's conduct: royal assent, by commission, to the Regency Bill.—Letters of Lord Eldon to Mr. Perceval and to Sir William Scott.

THE clouds which had so often cast a temporary shade upon the intellect of the sovereign were now gathering into deep and settled darkness. The immediate cause of distress to his mind was the protracted suffering of his youngest daughter, the Princess Amelia, whose death took place on the 2d of November, 1810. It had been notified that the meeting of the Parliament, appointed by prorogation for the 1st day of that month, would be postponed to the 29th by the usual commission under the great seal; but before the 1st of November had arrived, the king had become so much disordered that his ministers did not think themselves warranted in taking his signature to such a commission. On the 1st of November, therefore, both Houses assembled.

As soon as the Lords were met, the lord chancellor addressed them. He stated the circumstances under which they then attended, and informed them, with expressions of deep regret, that, in consequence of his majesty's personal indisposition, the commission had not received the royal signature. There might be a question, he said, whether the commission would not have been legal if issued under the great seal *without* the authority of the sign manual; but into that subject he would not enter. It would be for the House to determine its own course of proceeding.

The House, approving the lord chancellor's forbearance to affix the great seal to a commission under such circumstances, and participating in the hope which, in that early stage of the indisposition, was generally entertained by the king's medical and other attendants, of a speedy recovery, adjourned till the 15th; and the same course was taken by the House of Commons.

The natural good feeling and discretion of Lord Eldon had enabled

him, in each recurring instance of his majesty's illness, to conduct the business connected with it in such a manner as not only to protect the political and public interests in his care, but to give the most perfect satisfaction, in all intervals and returns of reason, to the illustrious sufferer himself, and throughout, to his royal consort. The acknowledgments of Queen Charlotte, under this renewal of affliction, were thus conveyed to him, and through him to two of his colleagues, on the day after the meeting of Parliament:—

(Queen Charlotte to Lord Eldon.)

“ Windsor, Nov. 2d, 1810.

“ The queen feels, more than she has words to express, the attention shown her by the lord chancellor and his colleagues, in making an excuse for not calling upon her yesterday. She is perfectly sensible that the subject it related to would have been equally painful to both parties; and is highly sensible of the delicacy of the conduct of the lord chancellor, Marquis of Wellesley and Mr. Ryder, to whom she begs her compliments.

“ Our domestic misfortunes are truly severe, but I trust Providence will carry us through.

“ CHARLOTTE.”

On the 15th, the lord chancellor began the business of the House of Lords, by repeating what he had stated on the 1st of the month; and added, that the physicians now considered the king's health to be progressively improving. He proposed to their lordships, therefore, a further adjournment of fourteen days; to which, after some discussion upon the question of precedent, the House agreed. When they met again on the 29th, a report from the privy council was laid on the table, containing the examinations of the king's physicians: and Lord Liverpool, relying on the continued appearances of convalescence, and on the expectation which the physicians held out of a speedy recovery, moved an adjournment for yet another fortnight. Earl Spencer thereupon proposed a select committee, to examine the physicians and report to the House; which amendment was supported by Lords Holland and Grenville, with a declared view to some speedy arrangement for supplying the deficiency of the executive powers.

The lord chancellor opposed the amendment, on the ground that, while there remained a prospect of the king's early recovery, it was not desirable to alter the constitution of the kingdom, by transferring the royal functions to any other hands. Their lordships would bear in mind that the monarchy of these realms was a hereditary one; that the king was king not only in vigorous manhood and health, but in infancy, in old age and in sickness; and that to remove the kingly power into other hands, was to make such an inroad on its character and very essence as could never be warranted nor excused but by a clear and permanent necessity. His majesty, when recovered, would doubtless be competent, should it be his pleasure, to concur in a legislative act for establishing a lieutenant, or a restricted regent, or any other officer whose appointment might meet any future emergency. This was no time for treating the monarchical principle with disrespect. Heaven forbid that he should represent the privy council as possessing the right or the power to adjudicate upon the capability of the king; their report (which had just been laid on the table,) undoubtedly would not give information which ought to be conclusive upon the House, but it would give the House a ground on which to found its own proceedings. The sole consideration, for the present, was whether the House would pause for a little while, or go at once into the important duty proposed to it. For himself, he thought it right to do no more than the evil of the day required. It was only the necessity of the case which gave to the House any right of interposing at all; and it was of the very

essence of that necessity that the time chosen for so interposing should be the proper and correct one.

A majority of 88 against 56 decided for an adjournment to the 13th of December.

When the House reassembled on that day, the state of the king's health was not sufficiently improved to justify, in the opinion of his ministers, any further adjournment. Lord Liverpool, therefore, moved for a committee to examine his majesty's physicians, the report of which committee was presented on the 20th.

The contest, which now began respecting the devolution of the royal functions, was animated by the same spirit of party which had marked the proceedings respecting the regency in 1788. The Whig opposition, on both occasions, placed a confident hope in the favourable disposition of the Prince of Wales toward their views, political and personal; and on both occasions, therefore, they keenly contended for investing him, at the earliest moment, with the most extensive powers. The ministry, on the other hand, no less under Mr. Perceval than under Mr. Pitt, had a strong interest to delay as long as possible the appointment of a regent who would probably dispossess them of office, and to confine his authority within the narrowest limits. Mr. Perceval, however, enjoyed an advantage which Mr. Pitt had not—the advantage of the very precedent which Mr. Pitt's struggle had established; and certainly there can be no circumstances in which a constitutional precedent has more value than when it thus steps in to fix what has been suddenly thrown loose, and impose some definite law upon parties who would otherwise be squaring their morality by their passions. There were, moreover, among Mr. Perceval's opponents, some men of considerable weight, who, like Lord Grenville, had, by their personal co-operation with Mr. Pitt in the measures of 1788, precluded themselves from condemning the like measures in 1810. All these advantages Mr. Perceval perceived and profited by. He shaped his course almost exactly by that of his predecessor, beginning with three resolutions in nearly the same form of words which Parliament had adopted in 1788. The first affirmed the simple fact that the personal exercise of the royal authority was suspended by his majesty's indisposition. The second declared it to be the right and duty of the Lords and Commons to provide the means for supplying this defect as the exigency of the case might require: and the third stated it to be necessary that the Lords and Commons should determine on the means whereby the royal assent might be given to bills, respecting the powers to be exercised in the king's name and behalf during his illness.

These three resolutions having been carried in the House of Commons, were transmitted to the House of Lords, where they stood for consideration on the 27th of December. On that day, before they were discussed, Lord Carlisle adverted to the testimony of the physicians, as contained in the report of the Lords' committee, contending that it was not evidence warranting the bulletins issued on several days of the preceding month; but, as he made no specific motion,

the House proceeded, on the recommendation of Lord Liverpool, to consider the resolutions. The first two were affirmed without division and without much discussion. On the third, it was moved by Lord Holland as an amendment, that the Prince of Wales should be requested, by address, to take upon him the powers of the crown in the king's name, during the king's present indisposition, and no longer; such address to be accompanied with an intimation that the exercises of any powers not called into action by the immediate exigences of the state, should be forborne, until a bill or bills should have passed for the settlement of the whole matter.

The lord chancellor, observing that, in 1788-9, as now, all parties in Parliament were agreed upon the fitness of conferring a sole regency on the Prince of Wales, declared his adherence to the opinion which he had then expressed, that a *bill to confer* that power upon the prince was a fitter course than an *address* to the prince to *take* upon himself that power. He used the word parliament, because, notwithstanding all which had been said by those who denominated the two Houses, under their present circumstances, a mere convention of the estates, it was his decided opinion that they were properly a parliament. They had been prorogued under that title by his majesty, who had directed them to reassemble on a certain day; and on that day, and under that title, they had reassembled in obedience to his command. It had been objected that to proceed by way of legislation involved a fiction, the assent of the crown; but if legal fictions were not to be endured, the whole course of judicial administration must be suspended, and the private property of every man who heard him might be placed in jeopardy. The courts, however, continued to discharge their functions, and properly so, because the law could look only at the political capacity of the crown: any natural or temporary incapacity was matter of which the law could not take cognizance. He relied on several historical analogies which he specified, and above all on the precedent established in 1788-9. The precedent of the Revolution in 1688 did not apply, because there the royal office was to be declared vacant,—while here that office remained full, and the only business was to provide a person who should supply the temporary interruption of its authority. The ministers had been accused of arrogant usurpation, because they continued to execute the duties of their offices. Was it meant that during the delay which the adjournment had sanctioned, the functions of the government were to be stopped? He hoped that the country would give credit to the ministry for having, in a most difficult crisis, conducted themselves with the best intentions. God help the man who had an eye to the situation of any one of them. They were told that they possessed no talent, no judgment, no qualifications entitling them to be entrusted with the affairs of the nation. But before such a censure were passed upon them by the House, he hoped their lordships would look back to the precedents set by statesmen well entitled to confidence and admiration. For himself he would say, that as the great seal had been entrusted to him by his sovereign, he would not give it up till he knew that some one was legally appointed to take it from his hands.

The amendment was negatived by a majority of 100 to 74, and the original question carried without a further division. The resolutions having been adopted by both Houses, and agreed to in a conference between them, it became necessary to define the powers with which the regent was to be entrusted: and, in the further resolutions prepared for that purpose, the outline of the former precedent was again pursued by ministers, but with some variation of the details. The first of these resolutions declared the sense of the committee,—that the Prince of Wales should be empowered to exercise the royal authority in the king's name and under the title of regent, subject to such limitations and restrictions as should be provided: that his power should not extend to the grant of any peerage, except for some naval or military achievement: that it should not extend to the grant of any

office, in reversion, or otherwise than during pleasure, except such as are by law required to be granted for life or during good behaviour: that the royal property, not already vested in trustees, should be vested in trustees for his majesty's benefit: that the care of the king's person should be committed to the queen, who should have power of nominating to and removing from the several offices of the household: and that a council should be appointed to advise and assist her, with authority, from time to time, to examine his majesty's physicians and other attendants. The last proposition, it will presently be seen, received important alterations in its progress.

These restrictions, of which the plan had been communicated to the prince, were exceedingly unpalatable to his royal highness. He endeavoured to relieve himself from them by every means within his reach, and particularly by a most remarkable remonstrance from the male branches of the royal family. This document, (of which a copy was found among Lord Eldon's papers, enclosed in an envelope with a few lines from the Duke of Cumberland, the present King of Hanover,) appears obviously, though it bears no address, to have been a communication to Mr. Perceval.

(Copy.)

" Carlton House, 19th Dec. 1810, 12 o'clock, P. M.

" Sir,

" The Prince of Wales having assembled the whole of the male branches of the royal family, and having communicated to us the plan intended to be proposed by his majesty's confidential servants to the Lords and Commons for the establishment of a restricted regency, should the continuance of his majesty's ever-to-be-lamented illness render it necessary; we feel it a duty we owe to his majesty, our country and ourselves, to enter our solemn protest against measures that we consider as perfectly unconstitutional as they are contrary to, and subversive of, the principles that seated our family upon the throne of these realms.

" FREDERICK	(Duke of York).
" WILLIAM	(—— Clarence).
" EDWARD	(—— Kent).
" ERNEST	(—— Cumberland).
" AUGUSTUS FREDERICK	(—— Sussex).
" ADOLPHUS FREDERICK	(—— Cambridge).
" WILLIAM FREDERICK"	(—— Gloucester).

The very kind and gracious note from the Duke of Cumberland to Lord Eldon, which contained the foregoing enclosure, was in these words:

" Thursday, (Dec. 20th.)

" My dear Lord,

" I cannot, without feeling *the greatest regret*, enclose to you a paper signed, as you will see, by ALL of us: not from its contents being contrary to the bearings of my mind, which has, God knows, been occupied for some time upon this unfortunate calamity, but from there appearing a difference of opinion between yourself and myself; and I believe you cannot doubt, if ever one man is sincerely attached to another from having the highest veneration, esteem, and, I may add, a sort of filial love, that man is myself, and it is, therefore, a most painful task for me to differ on this occasion; but I hope and trust that this will be the *only* time. For the hurry and bad writing of this note excuse me, but I am anxious you should receive this as early as possible.

" Believe me,

" Yours very sincerely,

" ERNEST."

When the resolutions were opened by Lord Liverpool in the

House of Lords on the 4th of January, 1811, the Marquis of Lansdowne moved an amendment, whereof the object was to expunge the words "subject to such limitations and restrictions as shall be provided."

This amendment was combated by the lord chancellor, who enumerated the regencies constituted since the Revolution, each of which he showed to have been limited by restrictions: and he adverted to an opinion once expressed by Lord Thurlow from the woolsack, that the office of regent was one with which the common law of this realm was unacquainted, and which had its existence only as a creation by statute. Since a regent, therefore, by the very constitution of his office must owe his appointment to the two Houses, it was obvious that the two Houses had the power to measure and limit the authority thus emanating solely from themselves. He felt, too, that, as the subject of a monarch, who himself was limited in his authority by the law, he was entitled, and bound, by his seat in that House, to discuss the propriety of limiting any temporary trust of the executive power. He was sure that not a man among their lordships, that not an English heart in the country, would fail to appreciate the difficulties of this moment, or to sympathize in the melancholy cause of them: and all must be anxious so to regulate the authority about to be delegated, that the circumstances, which the sovereign would find existing at the period of his recovery, should be such as might not infringe the united obligations of public principle and of private feeling. Now what would have been the result, if, in 1789, their lordships had acted in the manner now recommended on the other side, and had surrendered to a regent the unfettered exercise of all the royal prerogatives? What would have been the effect on his majesty's mind, at his coming to the knowledge of his position? If the two Houses had then so alienated the appropriate functions of the crown, he was bold enough to say that the effect must have been to impede the resumption of the royal authority. Until the occurrence of the present question, the complaint on the other side had been, that the powers of the crown were too great, and that its influence had become too extensive; but now, on a sudden, the doctrine was that the royal authority could not be left too large. He could not deem it fitting that a principle should at this day be set up subversive of that which was established in 1788-9, especially as a speedy restoration appeared now a much more probable event than when the former regency bill was under the consideration of the House. If the king's health had been now in the state in which it was in 1789, would not their lordships have much less sanguine hope than at present of its early re-establishment? And yet, even in 1789, the Parliament having been opened on the 20th of February under the authority of the great seal, the two Houses, on the 10th of March, were apprised of his majesty's happy recovery.

Lord Lansdowne's amendment was carried against ministers in the committee, by a majority of 105 against 102: but on the report, this resolution was restored to its original form. The fifth resolution, however, was passed and eventually reported by both Houses in a shape materially differing from that in which ministers had proposed it. Instead of enabling the queen to nominate to, and remove from, the several offices of the household, it limited her authority in that department to "the sole direction of such portion of his majesty's household as should be deemed requisite and suitable for the due attendance on his majesty's sacred person and the maintenance of his royal dignity."

This last amendment was an intelligible indication that the two Houses of Parliament were preparing to favour the wishes and views of the Prince of Wales: and the policy of the ministers, therefore, was obviously to gain time, and take the longest possible chance for the king's recovery, to which the physicians were still looking with considerable confidence.

Meanwhile there arose a practical impediment of an unexpected

kind. Certain sums had been appropriated by Parliament to naval and military services; but the Exchequer Act required that the issue of public money for them should be under the privy seal, or under the great seal, or under an act of Parliament. An act of Parliament was prevented by the circumstances of the time: the great seal had never been used to authorize an issue except for civil purposes: and the clerk of the privy seal was of opinion that his oath of office precluded him from passing the necessary letters of privy seal, (the document to which the privy seal is affixed by the lord keeper thereof,) without the usual docket, certifying a previous warrant under the king's sign manual. The lords of the treasury having issued a warrant of their own to Lord Grenville, the auditor of the exchequer, requiring him to draw an order for payment of the money, he declined to comply with it for want of the authority prescribed by the Exchequer Act: and suggested that the only power constitutionally competent to relieve the difficulty, was that of the *two Houses* of Parliament, who had declared that it was their right and duty "to provide the means of supplying the defect of the personal exercise of the royal authority," according to the exigency of the case.

Mr. Perceval, in this difficulty, applied for and obtained, after some debate, a resolution of the House of Commons, authorizing the auditor and officers of the exchequer to pay such sums as the treasury warrants might, from time to time, direct. Lord Liverpool, on the following day, the 5th of January, moved for the concurrence of the Upper House in this resolution: to which Lord Grenville, asserting the uprightness of his motives, consented, on the principle of obviating any impediment to the public service; but declared his opinion that the conduct of ministers had been most injurious to the country, and that, but for that conduct, there might have been an executive government so established that this difficulty could not have arisen.

The lord chancellor expressed himself ready to do justice to Lord Grenville's motives. He admitted that officers in such situations as that of auditor of the exchequer were to be guided by different considerations from those which, under special circumstances, must regulate the conduct of ministers of state. The present question was merely whether the House should direct an issue of money, for which a necessity had been declared to exist. How that necessity had arisen was a distinct question, which would be fully open to discussion, when the time should arrive for a general review of the conduct of ministers in these transactions. It had appeared to him that for such services as those for which this money was required, the issue ought not to be under the great seal. The privy seal, in his opinion, might have been employed, and the lord keeper of it, he believed, would not have refused; but then arose the difficulty with the clerks; and thus the application to the two Houses had become indispensable.

The resolution passed, though not without a protest from a number of peers, including all the royal dukes, on the ground that the principle of such a resolution went to justify the assumption of all the executive powers of the crown by the two Houses, during *any suspension* of the personal exercise of the royal authority.

During the before-mentioned discussions in the House of Lords respecting the resolution for the regulation of the household, and

before the appointment of the regent, a question, touching the extent of the right of proxy, had given rise to some keen debate. Although, in committees of the House of Lords, no votes are taken but of peers actually present, yet in the proceedings on the report, which is a revision by the House of what has been done in committee, the general rule obtains, and the proxies are admitted as on other occasions. But in this particular case it was contended that proxies were inadmissible, on the ground that the Peers were now assembled, not as a House of Parliament, but as one of the estates of the realm. The lord chancellor was strongly opposed to this doctrine; and in order to the settlement of the question, he brought it before the House on the 23d of January, 1811, in a series of resolutions, purporting that on any question finally* put upon any business in the House of Lords when assembled under the king's commission, whether the Parliament should have been opened or not, proxies should be counted, unless where there should be a standing order to the contrary, or unless where the House should have determined otherwise on a motion made antecedently to the vote on the main question: and that proxies should be counted in any such antecedent motion for excluding proxies, and in any vote upon the previous question whether the motion for excluding proxies should be put or not.

In support of these resolutions, the lord chancellor expressed his anxiety to prevent the establishment of a precedent, by which the Peers of England might be divided into two bodies, those personally present, and those personally absent, in contradiction to the constitutional usage by which all the lords personally absent had the right of being present by their proxies. In whatever way the usage of voting by proxy might be considered, it ought to be upheld: if as a privilege, there was no reason why their lordships should surrender it; if as a duty, they ought not to betray it. He entered into some historical details to show the uniform usage of voting by proxy, and particularly instanced the period of 1660, when proxies were entered, before the causes for the meeting of Parliament had been declared by the king in person or by commission,—in other words, before the Parliament had been opened. He protested against the doctrine that the House, when it met on the first of the preceding November, was assembled in any other character than that of a House of Parliament. It assembled, under a regular prorogation of Parliament to that day, and, assembling as a House of Parliament, possessed all the privileges which belonged to it as such, and, among the rest, the right of proxy.

Lord Moira opposed the resolutions, and moved an adjournment: which, after a debate terminating with a short reply from the lord chancellor, was carried by a majority of two.

In the course of this discussion, Lord Stanhope had assailed the lord chancellor and Lord Redesdale, with a levity not suitable to the character of the dignified assembly he addressed. The chancellor, in his reply, requested the House to consider carefully whether the very speech of the noble earl against proxies did not indicate that, with reference to their lordships' dignity and the decorum of their proceedings, it might sometimes be even *more* eligible to take the sense of the House by proxy than in person.

In the following week the addresses of both Houses were presented to the Prince of Wales, who signified his intention to accept the

* In Hansard's Debates, the word is "finally:" in the Journals, "fully."

regency, when it should be conferred upon him, even with the restrictions; after which, in pursuance of a resolution of both Houses, the great seal was affixed by the lord chancellor to a commission for opening the Parliament, and under it the Parliament was opened on the 15th of January. The Regency Bill was on the same day introduced into the House of Commons, whence it was sent up, on the 23d of January, to the Lords. Here, on the 25th, in the committee, a great struggle took place on the clause relating to the household. The bill, as passed by the Commons, had reverted to the principle of the fifth of the preliminary resolutions, as originally proposed on the part of ministers, by placing in the hands of the queen the appointment and control of the chief household officers; which alteration may probably have been owing to an opinion then prevalent that the king's health was rapidly improving. On this clause, when discussed in committee of the House of Lords, the Marquis of Lansdowne moved an amendment, proposing to defer the arrangements respecting the household until after the regency should have been constituted. Lord Liverpool opposed that amendment, and was followed by Lord Grey, who directed his animadversions in an especial manner against the lord chancellor.

The effect (said Lord Grey) of the enactment, in its present shape, would be, to give the queen about forty-seven appointments, and the regent only two. This was not the fair interpretation of the preliminary resolution, which had limited the queen's authority to such portion of the household "as should be deemed requisite and suitable for the due attendance on his majesty's sacred person and the maintenance of his royal dignity." The noble and learned lord, he believed, was actuated by conscientious feelings; the frequency of his appeal to those feelings was evidence of their sincerity, and he besought him, therefore, to indulge the same honourable sentiment in the discharge of his political, as he was proverbially accustomed to do in his legal and judicial functions. Suppose the case (and he put it directly to the noble and learned lord, who had high judicial duties to perform in another place), of a person deceased, by whose will a portion of the estate was directed to be applied to the support of the aged widow, while the remainder was to devolve to the eldest son, for the general purposes of maintaining himself and the members of the family in the rank and station to which they belonged. Would the noble and learned lord interpret the intention of the testator to be, that forty-seven shares (for that was the proportion of the household to be given to the queen) should belong to the widow, and two to the heir? With respect to that part of the bill which provided for the resumption of the royal authority upon his majesty's recovery, he would say that no one,—not even any of the noble lords on the other side of the House,—would more sincerely rejoice at the arrival of that period than himself; but he must have other authority for the fact of such recovery than the mere putting of the great seal to a commission in his majesty's name. Considering what had taken place on two former occasions, when it was notorious that the great seal had been employed, as if by his majesty's command, at a time when he was under the care and actual restraint of a physician, for a malady similar to that by which he was now afflicted, the noble and learned lord must excuse him for saying there must be better authority produced than his declaration for his majesty's recovery. Nothing short of an examination of the physicians by their lordships could afford that proof of it which would satisfy his mind. He would vote for the amendment proposed by his noble friend.

The lord chancellor now rose with evident emotion.

The allusions of the noble earl (he said) were so marked, that he could not suppress the feeling they had excited, nor omit to take the earliest opportunity of answering them: and he trusted, therefore, that the committee would pardon him for trespassing on their attention. If he had occasionally referred to the rule of his own conscience, it was because that was the rule by which, from the outset of his public

life to the present hour, he had endeavoured to regulate his conduct. Confident in the probity of his intentions, and assured of the integrity with which he had laboured to perform his official duties both to the sovereign and the public, he would now repeat that he not only did not decline, but distinctly challenged, the strictest inquiry into his conduct. Nor would he scruple to declare, that no fear, no influence of any kind, should deter him from doing again what he had already done, if he conceived it necessary to the interests of the king his master, or of the country at large. Of his majesty he never could speak without gratitude for the favours, the obligations, the king had heaped upon him; nor think, without the acutest sensibility, of that unhappy malady by which his sovereign was oppressed. Reports of physicians should not operate, nor threats within or without the doors of that House, to prevent him from exercising his own judgment in whatever regarded the interests of his royal master. Rather than desert his allegiance by shrinking from any step pointed out to him by his duty and his office, he would bear to perish ignominiously on the scaffold. In every case which might arise, he would act upon his official responsibility, and content himself with leaving the consequences to Heaven. In what he had done upon the occasion alluded to by the noble earl, he had pursued, under the solemn obligation of an oath, the course which his judgment prescribed to him. He felt himself, therefore, superior to the uncalled-for imputation of the noble earl; and until his country should tell him he had done wrong, he should rest satisfied with his own conduct in that matter. No man was entitled to charge him with a criminal act. He had long and faithfully served a most gracious master, at the most critical moment this country had ever known; he had received, in the measures he had taken to suppress the societies framed for the subversion of the government, the full co-operation of some noble lords opposite, while other noble lords now sitting side by side with them were decrying, obstructing and ridiculing those measures; which, strong as they were, would yet, he believed, had they stood alone, have failed to produce the good effects which followed from them,—it being his conscientious persuasion that, at that momentous period, nothing could have saved the monarchy but the value of the sovereign's personal character, and the almost universal love and reverence of the people for the possessor of the throne. Into the transactions of 1801 and 1804, he would again say that he challenged the strictest inquiry. The opinions of physicians, though entitled to great attention, were not to bind him absolutely; he must act, and he had always acted, on his oath and to the best of his own judgment: charges, therefore, and menaces were indifferent to him. "Let them come, (continued he); I am ready to encounter them; *impavidum ferient*. To the daily scandal poured out against me, I will not condescend to reply; nor will I ask of the noble lord to trust me. I have been attacked and reviled, but I disregard it. Actions which I have never done have been imputed to me, and actions which I have done have been swollen and distorted by misrepresentation and calumny. In the newspapers, I may read to-morrow, as I have often read before, sentiments and expressions attributed to me of which I am totally unconscious; but all this I can view without pain. I never refer to those diurnal publications, without discovering errors and misrepresentations as to myself; but the consciousness of rectitude and integrity is sufficient to sustain my equanimity. I have been significantly asked, whether I would supersede a commission of lunacy against the opinion of physicians. *I have often done so*. Perhaps I may have been wrong in so doing, but again, I repeat, I have acted on my conscience.

"With respect to the clause now under consideration, I will say, using an expression which I borrow from one well skilled in the science of human nature, that I know not how 'to disquantity' the train' of my royal master. I am asked what I would do in the Court of Chancery if the present clause came before me, in connection with the resolution on which it is founded? I answer, that the resolution is not of such certainty that a court could deal with it at all. But I will ask a question in my turn, and it is this: Are there any two of the noble lords on the other side of the House, who are agreed in their own view of what the resolution prescribes? I have heard of several plans,—four or five at the least—all of which are at variance. If I am asked my own view, I say that I deem *the whole* of the household to be 'requisite and suitable for the due attendance on his majesty's sacred person, and the maintenance of his royal dignity': those are the words of the resolution,—and therefore, according to the principle of that resolution, *the whole* of the household ought, in my sincere opinion, to be in the gift of her majesty. In saying this, I speak with the same tender regard to conscience as if I were acting in a judicial capacity. I will tell this House,

• King Lear, Act I. Scene 4.

—I will tell every man who hears me,—I will tell all his majesty's subjects,—that the last thing I would do, in the court in which I sit, would be to remove from any man, labouring under an affliction such as has unhappily befallen his majesty, the comforts which become his condition and to which he has been accustomed. For myself, let me but see my sovereign well, and then let me depart in peace. I cannot take my heart out of my breast, and forget that my most gracious master is a man. Let those who can do so, do it. I am not made of such impenetrable stuff; I have neither the nerve nor the apathy requisite for such stern and unrelenting duty. Until his majesty shall vacate his throne by descending into his grave, to no other person shall I acknowledge myself a subject.

“Before I sit down, I must make my solemn protest against the principle upon which the proposed distribution of the household patronage is argued; as if the government of this country could not be carried on, except upon a system the most unconstitutional, the most degrading, and I will even say the most jacobinical, that was ever suggested by the most inveterate enemies of the constitution. What! Are your lordships to be told that no master of the horse, no groom to the stole, no lord steward of the household, has the least consideration for the country, but that their votes in this House will be controlled and directed by those to whom they owe their respective appointments? If this be the case, I have got, at the end of my life, into such company as I never was placed in at the beginning of it. But I cannot believe that the noble persons about me,—the descendants of those whose virtues and talents adorn the history of this great country,—can be influenced by the unworthy motives thus ascribed to them.

“As to the amendment proposed by the noble marquis, I do entirely disapprove it. So much so, indeed, that if every one of your lordships were to go below the bar to vote for it, I should feel it the proudest act of my life to stand alone, and record my loyalty to my sovereign by voting against it. And I put it to you as men, whether you can consent to an arrangement so humiliating to your sovereign, as that which must be the result of such an amendment.

“The regent, to be sure, will be subject to restrictions; but the king himself, in this country, is a limited monarch. His majesty, whatever his mental state, must be king until he descends into the grave. I can never discharge it from my recollection that the committee has two objects to accomplish: it has to provide for the stability and security of the government; but it has also to provide for the safe and effectual resumption of the royal functions on the part of his majesty, whenever his recovery shall be fully ascertained. I feel the importance of the former consideration; but I feel, also, that, in taking care for his majesty's restoration to his government, we are providing in the most effectual manner for the true interests and for the ultimate security of the state. Your lordships, therefore, should not diminish the splendour that surrounds his majesty, but preserve it in all its plenitude. I remember, and with a satisfaction which will terminate only with my life, the part which I took in the discussions of 1789: I will act on the same principles now. My conduct on that occasion obtained for me the approbation of my gracious master, as I trust will my conduct in the present crisis. I have no reason to change the opinion which I gave in a former debate respecting the probabilities of his recovery. Far from it: for, in addition to what I then said, I have now the satisfaction of acquainting the House, that his actual state gives increased expectations of that happy result.”

Lord Eldon concluded this speech, which he delivered throughout with peculiar solemnity, by declaring that at such a period as the present, he was incapable of entertaining any interested views, and by repeating his regard and veneration for the king, and his intention to oppose the amendment.

The amendment, however, was carried by 107 against 98.

When the report of the committee was brought up on the 28th of January, 1811, a discussion arose on the clause for terminating the restrictions on the 1st of February, 1812. Lord Grenville proposed as an amendment, that they should cease on the 1st of August, 1811.

The lord chancellor thought it an irresistible reason against the cessation of the restrictions in August, that Parliament would not then be assembled. It was of the greatest importance that both Houses should be sitting when the bill now under consideration should expire. He took this opportunity to repeat his denial of the charge with which he had been assailed on a former evening. There were many noble lords

now present, who well knew how complete a justification he possessed against all the accusations aimed at him. Nay, some of those who had formed part of an administration with him, and who had acted with him then sat now on the bench with his accusers, and were, and must be, convinced that all he said in his own vindication was strictly true. "What I did," continued Lord Eldon, "I did with the concurrence and with the approbation of all my colleagues, but I would have done it, even had I differed from every man among them. Nay, I say that acting conscientiously, so help me God, I could not have done otherwise than I did. Whilst I have the approbation of my own conscience, I am ready to incur every risk, and submit to all the responsibility to which I am exposed by the faithful discharge of my duty. But what, I will ask, is the nature of the crime imputed to me? Why, that on the occasions in question, I acted in obedience to his majesty's commands. What would the noble earl (Lord Grey) have thought of my conduct, if I had refused compliance? What kind of crime would the noble lord have held me guilty of, if I had dared to disobey the positive commands of the sovereign? I acted then upon my conscience, and to the best of my judgment: my rule of conduct is the same on this occasion. I will act on my oath, in despite of the opposition of the whole world. It is my opinion, so help me God, that there is a most material amendment in his majesty. It is little more than forty-eight hours since I had an opportunity of ascertaining this improvement; and I trust in God that my gracious master will live many years, to be, as he has always been, the benefactor of his subjects."

Earl Grey, in answering this speech, made the following observations on the statement and conduct of the lord chancellor.

In performing what I conceive to be my duty to your lordships and to my country, I am bound to arraign the noble lord for an offence little short of high treason. In bringing this accusation against the noble and learned lord, I will not conceal that it is my intention to deal as severely with him as I possibly can; but, at the same time, as justly as the importance of the question and the solemnity of the case require.—The rigid and impartial line of public duty I shall strictly observe towards the noble lord, determined that neither his agitation nor his fears shall deter me from arraigning him, if I shall find that he has been guilty of what I cannot but consider all but treason. The noble and learned lord asks, What is the designation of that crime which a public servant would commit in refusing to obey the just commands of his sovereign? I acknowledge that would be treason to the sovereign; but with my answer to that appeal, I beg leave to couple another question: What, I ask, would be the character, what the appropriate punishment of his offence, who, knowing his sovereign to be actually at the time incompetent,—who, in the full conviction of his notorious and avowed incapacity, and whilst he was under medical care and personal restraint,—should come here and declare that there was no necessary suspension of the royal functions;—who, under such circumstances, should, in his majesty's name, and under the pretext of his majesty's commands, put the royal seal to acts which could not be legal without his majesty's full and complete acquiescence? What, I ask, would be the crime of that man who should venture to take such a course? I do not hesitate to pronounce his offence to be treason against the constitution and the country.

With respect to the conduct of the noble and learned lord on those former occasions to which I before alluded, it is now in evidence before your lordships, that, as well in the year 1801 as 1804, the king's name had been used to public acts, and the royal authority exercised, at a time when, according to the evidence, his majesty was personally incapable of exercising his royal functions. His majesty's malady began about the 12th of February, 1801, and continued without remission till the beginning of March. Your lordships will recollect that councils had been held, and members sworn in, during that interval. The foreign relations of the country, too, had undergone a material change in that period. Sweden, which had been our ally, assumed a hostile aspect, and acceded to the northern confederacy; and even considerable expeditions were equipped and sent out. Subsequent to that date, too, about the 17th of March, another council was held and members sworn of it. Here I must beg the attention of your lordships to the circumstance, that about the 14th or 15th of June following, even after he had been declared to be fully recovered, his majesty had a relapse, which, though it did not last long, required the aid of attendance. All this took place in 1801. In 1804 I was a member of the other House, and, from the anxiety felt by the public upon the subject, considered it my duty to put a question to

the noble viscount on the cross bench (Sidmouth,) then a member of the other House, respecting the state of his majesty's health; and though my noble friend at first endeavoured to shift and evade the question, upon being pressed, he ended with saying, that there was no necessary suspension of the royal functions. To a similar question put in this House, the noble lord upon the woolsack returned a similar declaration. Certainly the noble lord opposite (Lord Liverpool) had made such a declaration, and that was afterwards confirmed by the noble lord on the woolsack, in this House.—Now, by referring to the evidence of Dr. Heberden, your lordships will find, that at that very period his majesty had been ill, and continued in that state from the 12th of February, 1804, to the 23d of April following, when, I believe, he presided at a council—a circumstance which most probably was considered as sufficient proof that his majesty was well enough to resume his royal authority. Within that interval, viz., on the 9th of March, a commission was issued under his majesty's great seal, for giving the royal assent to fifteen different bills which had passed the two Houses.—But still more—the noble and learned lord had, on the 5th of March, an interview with his majesty, in consequence of which he felt himself warranted in declaring to your lordships, that his majesty's intellects were sound and unimpaired. But will this House consider a hasty opinion, formed during such an interview, which may have taken place at a lucid interval, sufficient to outweigh the evidence, upon oath, of physicians regularly and constantly in attendance! Will you not, on the contrary, be convinced that it would be a direct breach of the constitution, for the highest officer in his majesty's service to venture, under such circumstances, even during a lucid interval, to take his majesty's pleasure upon high matters of state! I will put it even to the noble and learned lord himself, whether, in the case of a private individual, who should have continued, from the 12th of February to the 23d of April, in a state of lunacy, and might, within that period, have been induced by an attorney to make a will, that noble lord would consider such a will valid! If the transaction should subsequently be submitted to the Court of Chancery, what would be the feelings of the court? what its just reprobation of the conduct of the attorney!

The charge, therefore, which I have to make upon the noble lords before your lordships, and in the face of the country, is this,—that they have culpably made use of the king's name without the king's sanction, and criminally exercised the royal functions, when the sovereign was labouring under a moral incapacity to authorize such a proceeding; and with such a transaction in your view, I will ask your lordships whether you will suffer this bill to pass without making effectual provision to prevent the recurrence of similar circumstances,—whether, if you should omit to make such provision, you will perform your duty to the public, whose interests you are bound solemnly to secure and to protect! In the evidence of Dr. Reynolds it appears, that when the king removed to Kew, in 1804, he had himself ceased to attend him,—and for this reason, that it would have a better appearance to the public. It was also apparent from the evidence, that his majesty was then, and till October continued to be, in such a state as to require medical attendance. I am prepared also to assert, and challenge the noble lord to deny the fact, that Dr. Simmons and his attendants had not only been in attendance, but exercised control over his majesty, until the 10th of June. For my own part, I shall never consent to suffer a lord chancellor, a lord keeper, or any man, or set of men, however great or distinguished, to possess himself or themselves of the royal authority under such circumstances, and exercise the functions of the sovereign.

After several other peers had been heard, Lord Sidmouth made a plain statement to the House, in which he declared, for himself and his colleagues in 1804, that they were prepared to justify their conduct in every point; that he was ready to answer for them all, and more particularly for the noble and learned lord. The Duke of Gloucester spoke shortly for the amendment; and then Lord Moira, at some length, but with less asperity than Lord Grey, renewed the charges against the lord chancellor; who, thus again attacked, said,

He could not forbear to observe how unfair it was to select him individually from the ministers of 1801 and 1804, and make him the constant object of attack. They should have done him the justice to state that the course then adopted was upon the opinion, not of himself individually, but of the administration generally; upon the

unanimous opinion, he was proud to say, of many great and honourable men with whom he then acted. He thought he could satisfy any candid man of the propriety of his conduct both in 1801 and in 1804. In 1801 he had not been a member of the government till the 14th of April, when he had accepted the seals in circumstances wherein he could have no motive for it but the commands of his majesty; and after the 14th of April, he knew of no act done which would fall within the objection advanced on the other side. "In 1804," continued Lord Eldon, "several distinguished noblemen, now present among your lordships, were members of the cabinet: one of them was a noble lord opposite (Earl St. Vincent), who was then first lord of the admiralty, and who, after being present at the examination of the physicians, concurred with the rest of the cabinet in the conduct then pursued. The physicians having all been agreed that on the 9th of March, his majesty was fully competent to do the act which they had advised him to perform, the question now is, whether, under that medical authority, I was right in doing what I did for the transaction of most important business, or whether I ought to have left the country to shift for itself. If I had entertained the smallest doubt of his majesty's competency to direct a commission for giving the royal assent to the bills which then awaited that sanction, I should have done one of two things: either I should have taken upon myself to affix the great seal to that commission and have applied to Parliament for an indemnity, or I should have come to the House and made the same declaration as on the 1st of November, 1810. And, even if the evidence of the physicians had been less decided than it was, I assert it to be most important to the sovereign, that a chancellor be not wholly determined by medical opinions, so as to suspend the royal authority where he himself thinks the king fully competent to exercise it. It does not follow, because the physicians all concurred in the acts then done, that I am guilty of any inconsistency in saying now, that, whatever might be the report of the king's physicians, I would not consent, on that mere report, to dethrone his majesty, while I myself, in my judgment and conscience, believed the king adequate to the discharge of the royal functions. I must be permitted to state that the great man who was then at the head of the administration (Mr. Pitt) afterwards expressed some surprise, when he found that *it had been my fixed resolution never to see his majesty, at any time when he could be considered under the control of others or in presence of any persons who might be considered as exercising any control over him. My interviews with his majesty at that time were always in the absence of such persons*; and it was my firm conviction that I was warranted in the course that was then adopted. I knew the dangers of this proceeding, but I knew my duty, too, and had determined to see my sovereign and judge of his complaint, when he was as free from restraint as any of his subjects whom it has been my painful duty to examine under similar circumstances. This was very hazardous to myself; but I did my duty without being deterred by fear of consequences. His majesty, on the 9th of March, understood the duty which I had to perform better than I did myself; this I believe I can prove.* If I had acted wrong, it was with the best intentions, and those would acquit me in the sight of God, if not in the opinion of my country."

Earl Grey rejoined, that the constitution of this country always selects for responsibility the individual minister who does any particular act; and it was upon this ground that he had singled out the lord chancellor from the rest of his colleagues upon a question of affixing the great seal. For this he was individually responsible. The constitution knew nothing of the committee called a cabinet. Every individual minister was responsible for his own conduct. If ever the time should come when it might be thought necessary to call the serious attention of the House to the conduct of the noble and learned lord, the House must determine simply on the propriety of his conduct, and not upon the purity of his intentions, or the coincidence of other people with his opinions. As to the statement of the noble and learned lord about his never visiting his majesty in the presence of persons under whose control he might be supposed to be, he should only observe that it was not the removal of the persons appointed to control his majesty from the room in which he saw his chancellor—it was not their removal from an ante-chamber—that would justify a minister in acting as the noble and learned lord had done. The absence of *all idea of control* from his *mind* was necessary, before the chancellor could have, in his name, exercised the royal authority, and adopted a line of conduct which, in this case, he could

* See above, March 9th, 1804, extract from the Anecdote Book, Chap. XVIII., and Lord Eldon's account of his explanations with Mr. Pitt, respecting the real circumstances of the communication between the king and himself, Chap. XIX.

consider as nothing less than usurpation. It appeared from the evidence, that from the 12th of February up to the 23d of April, and even so late as the 10th of June, in that year, his majesty had been attended by Dr. Simmons and his servants, who did exercise a control over the mind of his majesty. He did not mean to say that this control was constantly exerted, or that those persons were present when the sovereign was visited by the noble and learned lord; but there was a knowledge in the king's mind that those persons were in attendance, and could be brought forward to control him whenever it might be judged necessary. If such had been the circumstances in a former case, he should now call upon their lordships, as peers of the realm, as hereditary guardians of the constitution and of the liberties of the people, not to suffer this usurpation to pass, without taking effectual measures to prevent the recurrence of such conduct in future. On the 7th of May, 1804, at the time his majesty was thus under control, the union of the two great political rivals (Mr. Fox and Mr. Pitt) had been in contemplation, but had been prevented. This, too, was a subject for serious consideration.

The lord chancellor again rose, and strongly denied this last allegation also.*

Lord Grenville's amendment was negatived by 139 against 122, and the clause, as originally framed by ministers, was carried by 139 against 124.

On the clause appointing the queen's council,—

Lord King moved the omission of Lord Eldon's name. This proposal he grounded on the evidence given by the king's physicians, that in 1804, his majesty's illness had continued from the 12th of February to the 23d of April, in which interval the great seal was affixed to two commissions, one dated the 9th and one the 23d of March: and that the lord chancellor had also signified the royal assent to the Duke of York's Estate Bill, being a public bill affecting the interests of the crown. He said that the noble and learned lord, having thus, in consequence of his own erroneous view and strong bias, been instrumental to deceive the House and the country, in 1804, was an improper person to be placed on the queen's council, because, if appointed to a seat in it, he, from his high station and legal character, would be the party to decide on the competence of the sovereign. Lord King then desired that there should be read the commissions of the 9th and 23d of March, and the evidence of Dr. Heberden before the Lords' committee.

The Earls of Buckinghamshire and Westmoreland contended for the retention of Lord Eldon's name in the list of the council, and took to themselves their share in the responsibility of the government of 1804, of which they both had been members. Lord Redesdale spoke on the same side; and after a few words from Earl Grey and Lord Lauderdale, the motion of Lord King was negatived by a majority of 139 against 54. A protest was entered by Earl Grey and several other peers against the rejection of Lord King's motion.†

Some amendments, made in the bill by the Lords, were agreed to by the Commons, who brought it back to the Upper House on the 1st of February. Lord Liverpool moved on the 2d, that a commission should issue under the great seal for giving the royal assent to the Regency Bill. This resolution having, after some discussion in each of the two Houses, been carried in both, the royal assent was accordingly given to the bill by the lord chancellor and other commissioners on the 5th of February.

The following are extracts from a letter addressed to Mr. Perceval, of which the draft was found in Lord Eldon's hand-writing:—

* A reference by himself to this denial will be found in a later page of this chapter, at the conclusion of some extracts from a letter of his to Mr. Perceval.

† Lords' Journals, Jan. 28th, 1811.

"The members of Mr. Addington's administration, who retired, found the sovereign, in personal interviews, quite capable of acting, and Mr. Pitt and those who came in with him, *in his majesty's presence*, accepted their offices.

"It is not here immaterial to mention, that Mr. Pitt was minister in 1789, and he knew the king's state intimately in 1801; he saw it in 1804. He knew, therefore, in what manner, and under what circumstances, and under what care and provident management the king continued to exercise his functions in both those periods, 1789 and 1801. In fact, who did not know it! He drew his notions of the principle upon which he ought to act, from Lord Thurlow and Lord Camden in 1789; and, if the king's acting under medical management was wrong, *they were wrong* in the first instance. Lord Thurlow's notion was, (which it is both difficult to maintain and to deny,) that an individual of the highest powers, reduced to be an individual of very weak intellects by the effect of bodily or mental indisposition, if barely *compos mentis*, has a right to the management of his own affairs. Mr. Pitt, so reduced to the powers or weakness of a child of 14, might have managed personal property, by disposition, of the most enormous value. A king is never in law *non compos*: in his cradle—in the delirium of fever—in the struggle in which soul and body are parting—the law acknowledges no weakness in him. This is the view of him, which allegiance and the obligation of oath compel his servant and subject to take. If his actual state negatives all theory, reason *seems* to justify another view of him—but, that reason should present such other view, the law does not presuppose. The very principle upon which this proceeds, at least requires that great caution should be used, before individual judgment should be considered as let loose from the obligations of oath and allegiance. In 1789, when Lord Thurlow came to Parliament, he came,—as I did on the 1st of November,—because the king did not understand and could not comprehend, at the time he was taking his pleasure, upon *what* he meant to take his pleasure:—if the case had been otherwise, I have personal reason, as well as reason arising out of fact, to believe that that great man would not have come to Parliament, upon any notion that either his own or the physicians' judgment might make it likely that some delusions might occur in an hour and a half, after one hour and a half's perfect and sound conversation, uninfluenced in the matter and nature of it by antecedent delusions. In the case of the king, he did not think the law, in such circumstances, authorized him to apply the principles which regulated either the granting or superseding commissions of lunacy—(and I do not hesitate to say that I think I never could have induced myself to seal the commission for the Regency Bill in such *precise circumstances*)—and accordingly he and all those with whom he acted, Mr. Pitt, Lord Camden, &c., tided on, if I may so express it, through many a difficult scene. Perhaps it would not be going too far to say, that, months after the king was at St. Paul's, he was not so well as he is at this day. But there is a difference between a *declared* incapacity and resuming, and *undeclared* incapacity and a dethroning."

The letter, after describing in the words already given near the end of Chapter XIX. the circumstances under which Mr. Pitt communicated with the king in 1804, proceeds:—

"I here digress, to notice that both Lord Grey and Lord Grenville were pleased more than to insinuate that *I had taken advantage of the king's weakness to prejudice him against Mr. Fox*. I aver this to be a direct falsehood."

In his Anecdote Book, he many years afterwards records his denial thus:—"Lord Grenville and Lord Grey, in debate in the House of Lords, took an opportunity to do more than insinuate, that I had prevented Mr. Fox's being part of the administration; upon which I stated that there was no language of contradiction to what they represented, which a gentleman could use in a company of gentlemen, which could be more strong than that in which I desired the House to understand me as contradicting those lords."*

This denial must not be extended beyond the charge it was meant

* Parl. Deb. January 28th, 1811. See also Lord Eldon's account of his interviews with Mr. Pitt in the spring of 1804; Chap. XIX.

to meet, of having taken advantage of the king's weak state to excite a prejudice against Mr. Fox in the royal mind; for Lord Eldon, though he spurned the accusation of having tampered with the king, had avowedly employed all legitimate means for preventing Mr. Fox's accession to the ministry, and in particular was wont to claim credit for the earnestness with which he had counselled Mr. Pitt against such a coalition.*

Among the embarrassments of the administration was the course pursued by the royal dukes, who, acting throughout these proceedings in the spirit of their original remonstrance,† threw their whole weight into the scale of the heir-apparent, and had well nigh turned the balance against the government and the queen.

(*Lord Eldon to Sir W. Scott.*)—(Extract.)

(No date; but probably end of Jan. 1811.)

"I hope you are not angry with me for not seeking to see you. The fact is, that my present duties are, or are thought by me to be, so arduous and difficult, and withal so perilous, that I do not wish to ask anybody's advice, or to involve those I love in the consequences of my conduct. I am hardly in my right mind upon what is passing—and, when I am attacked day by day, and every man who was with me in administration in 1804 is obstinately holding silence, and the whole royal family, whose protestations of gratitude my boxes teem with, are among my enemies; God help me, I had not the means of proving that I have nothing to fear. I know I should be asking advice if I were with you, and I have determined rather to look for consolation to those whom I affectionately love, *after* I have acted for myself, than to pursue any other course of proceeding.

"I saw the king on Saturday‡ for much more than an hour. He is not well, and I fear he requires time. In the midst of this state it is impossible to conceive how right, how pious, how religious, how every thing that he should be, he is, with the distressing aberrations I allude to.

"Yours affectionately,
"ELDON."

* See Lord Eldon's letter to Lord Melville, of January, 1807: Chap XXIII.

† See above, Chap. XXXI.

‡ The 26th of January. See Lord Eldon's speech in the House of Lords on the 28th, referring to the interview with the king a little more than forty-eight hours before.