

THE VICTORIAN CHANCELLORS

by
J.B. Atlay

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THE VICTORIAN CHANCELLORS

BY

J. B. ATLAY

OF LINCOLN'S INN, BARRISTER-AT-LAW

AUTHOR OF 'LORD COCHRANE'S TRIAL BEFORE LORD ELLENBOROUGH'
SIR HENRY WENTWORTH ACLAND, BART.: A MEMOIR'
ETC.

IN TWO VOLUMES

VOL. I.

| | | |
|-----------------|--|----------------|
| LORD LYN DHURST | | LORD COTTENHAM |
| LORD BROUGHAM | | LORD TRURO |

WITH PORTRAITS

BOSTON

LITTLE, BROWN, AND COMPANY

1906

PREFACE

IN this and a succeeding volume I hope to present memoirs of the illustrious men into whose hands the Great Seal of England was from time to time entrusted by Queen Victoria. The present undertaking makes no claim to be regarded as a continuation of Lord Campbell's 'Lives of the Chancellors.' Apart from all question of literary execution, it differs in scale and in scope from that classical work, and was not begun until I had ascertained that no continuation of the original series was contemplated. The larger part, indeed, of the ground occupied in this volume is actually covered by the posthumous volume in which Lord Campbell professed to write the lives of Lord Lyndhurst and Lord Brougham. And the inclusion of the latter statesman partakes of the nature of 'a fraud on the title'; Lord Brougham surrendered the Great Seal two years and seven months before the accession of her late Majesty, and to style him a Victorian Chancellor is, strictly speaking, a misnomer. His meteoric career, however, is inextricably bound up with the fortunes of his predecessors and immediate successors in office, as well as with the legal and political history of the early years of the reign. To have omitted him would have robbed these pages of all semblance of completeness.

For the life of Lord Lyndhurst Sir Theodore Martin must always remain the prime authority, and the extent of my indebtedness to him may be realised from the repeated references in the text and notes. Written with the

expressed object of clearing away the heavy load which Lord Campbell had left upon Lord Lyndhurst's memory, the author is at times encumbered by the pious task of refutation, and I am not prepared to accept his conclusions in their entirety; but those who are curious to see how lightly the obligations of a biographer can rest upon Lord Campbell will follow with keen relish the application of the scalpel by Sir Theodore Martin.

Lord Brougham has fared rather better at his successor's hands; the tone of the 'Life' is less spiteful, and there is abundance of amusing anecdote, coming in some cases from sources which are entitled to credit. It cannot, however, be accepted as a satisfactory picture of one who, with all his failings, was a very great man. Lord Brougham foresaw his fate, and attempted to forestall and mitigate it by preparing his autobiography for publication. The result of his labours, which appeared in 1871,¹ can only be utilised with extreme caution, and it has verified the prediction of a contemporary critic that 'while unlikely to be extensively read, it will probably prevent any really good life of Lord Brougham from being written.' It contains letters and documents that are of lasting value; but at the best of times Lord Brougham's recollection of events differed widely from the impression retained by other actors and eyewitnesses. At the date when this autobiographical fragment—for it stops short at the end of 1834—was put together, neither his mental nor his physical powers were equal to the effort. The arrangement is chaotic, and a vast amount of superfluous matter is introduced.

His literary executor was bound, it is true, by the strictest injunctions to print the narrative as the author had left it. 'I alone am answerable for all its state-

¹ *Life and Times of Henry, Lord Brougham, written by himself* (Blackwood.)

ments, faults, and omissions. I will have no editor employed to alter or rewrite what I desire shall be published as exclusively my own.' The injunction has been only too faithfully complied with.

It is needless to say that I have drawn largely on the store of 'Broughamiana,' contained in the Creevey Papers and the Diaries of Charles Greville. It must be admitted, I am afraid, that Brougham's reputation is not enhanced by them, and the successive records which leap to light, both there and elsewhere, render intelligible the ostracism of which he became the victim in the very prime of his splendid faculties.

The sources of information concerning Lord Brougham are superabundant, in quantity, at any rate, if not in quality; the material for biographies of Lord Cottenham and Lord Truro hardly exists at all outside the Law Reports, the pages of Hansard, and the legal periodicals. I have indicated my authorities where practicable, and I would express my thanks to the Hon. Walter Pepys for kindly communicating to me some circumstances connected with the tastes and recreations of his father the Chancellor, which should serve to correct the commonly accepted belief. My thanks are due also to Lord Annaly for granting permission for the reproduction of his picture of the interior of the House of Lords during the proceedings against Queen Caroline.

J. B. A.

LINCOLN'S INN,
March 1906.

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