



The History of the Common Law of England

Matthew Hale

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Sir Matthew Hale SL (1609 — 1676) was an influential English barrister, judge and lawyer most noted for his treatise *Historia Placitorum Coronæ*, or *The History of the Pleas of the Crown*. Hale is almost universally appreciated as an excellent judge and jurist, with his central legacy coming through his written work, published after his death. His *Historia Placitorum Coronæ*, dealing with capital offences against the Crown, is considered "of the highest authority", while his *Analysis of the Common Law* is noted as the first published history of English law and a strong influence on William Blackstone's *Commentaries on the Laws of England*. Hale's jurisprudence struck a middle-ground between Edward Coke's "appeal to reason" and John Selden's "appeal to contract", while refuting elements of Thomas Hobbes's theory of natural law.

Hale's full works include:

Contemplations, Moral and Divine (1676);

The Primitive Origination of Mankind, Considered and Examined According to the Light of Nature (1677);

The Life and Death of Pomponius Atticus written by his contemporary and acquaintance Cornelius Nepos; Translated out of his fragments, together with observations political and moral thereon (1677);

Pleas of the Crown; A Methodical Summary (1678);

A Discourse of the Knowledge of God and of Ourselves (1688);

On Pomponius Atticus (1689);

Origin of Mankind by Natural Propagation;

The Original Institution, Power and Jurisdiction of Parliament (1707);

Government in General, its Origin, Alteration and Trials;

The History of the Pleas of the Crown (1736);

The History of the Common Law of England (1739);

The Analysis of the Law; Being a Scheme, or Abstract, of the several Titles and Partitions of the Law of England, Digested into Method (1739); *Considerations Touching the Amendment or Alterations of Laws* (1787);

The Jurisdiction of the Lord's House, or, Parliament Considered According to Ancient Records (1796);

Reflections on Hobbes' Dialogue of the Law (1835)

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