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THE
CABINET OF BIOGRAPHY.

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ASSISTED BY
EMINENT LITERARY AND SCIENTIFIC MEN.

EMINENT BRITISH LAWYERS.

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LONDON:
PRINTED FOR
LONGMAN, REES, ORME, BROWN, GREEN, & LONGMAN,
PATERNOSTER-ROW;
AND JOHN TAYLOR,
UPPER GOWER STREET.
1833.

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publication of these cases was, in all probability, forbidden by the king.*

The remaining works of Sir Edward Coke consist of the Second Institute, containing commentaries on various ancient statutes; the Third Institute, on Criminal Law; the Fourth Institute, on the Jurisdiction of Courts; a volume of Entries, or Forms of Pleading, and three tracts; on Bail and Mainprize; The complete Copyholder; and a Reading on Fines, which were published in one volume by Serjeant Hawkins in 1764.

Sir Edward Coke may be considered as the founder of the invaluable library of MSS. at Holkham. A number of those manuscripts bear his autograph name, and several volumes appear to be wholly written by his own hand. There are eight copies in MS. of the *Registrum brevium*, several volumes of the Statutes, and some treatises which do not appear to have been published.

JOHN SELDEN.

1584—1654.

IN the very first rank of our antiquarian lawyers stands the name of John Selden. The profundity of his learning, and the extent of his researches, render a critical examination of his writings, or even a familiar acquaintance with them, a task which few persons have either the power or the resolution to undertake. The following pages will be confined to an attempt to trace the principal incidents of the life of this learned and celebrated person. [Note 12.]

John Selden was born on the 16th December, 1584, at Salvington, near Tering, in Sussex. His father was a person of inconsiderable rank; his mother a member of the knightly family of Baker, in Kent. He received his early education at the free-school of Chichester; and at the age of fourteen was admitted of Hart-hall, in the

* See Thomlinson's case, 12 Rep. 104.

university of Oxford. With regard to the course of his early studies little is known. At the age of eighteen he became a resident in London and a member of Clifford's Inn, it being customary at that time for students at law to enter themselves at one of the minor inns of court before they became members of the greater societies. In May, 1604, he was admitted of the Inner Temple, and in due time was called to the bar. His practice in court was very inconsiderable. "He seldom or never," says Wood, "appeared at the bar; but sometimes gave chamber counsel, and was good at conveyancing." The leisure which he derived from this mode of life was devoted to subjects more congenial to his taste than the practical details of his profession. Having formed an acquaintance with Spelman, Cotton, and Camden, he was led at an early period to the study of our national antiquities; and before he had attained the age of twenty-three, he had compiled a volume of collections on the early history of England, under the title of *Analecton Anglo-Britannicon libri duo*. This work was, several years afterwards, printed at Frankfort, in a very incorrect manner; and though it has been censured by Bishop Nicholson, it was regarded by its author, at a more mature age, as a performance not discreditable to his youth. Pursuing the same line of study, Selden, in 1610, published two tracts relative to early English history, under the title of *England's Epinomis*, and *Jani Anglorum facies altera*. In the same year he gave to the world a short but learned piece, entitled the *Duello, or single combat*; in which he investigates the origin and method of the judicial combat, as practised amongst our Norman ancestors. The reputation which Selden had acquired by these smaller essays of his learning and industry, was greatly enhanced by the publication, in 1614, of a work in which he displayed his profound acquaintance with the antiquities both of his own and other nations. In this treatise on *Titles of Honour* [Note 13.], a mass of legal and constitutional learning is accumulated, which renders it one of the most valuable works in the English historical library. A second edition,

with large additions, was printed in 1631 ; and a third edition appeared in 1672.

For several years Selden did not appear again before the public ; but in 1616 he edited the treatise of Sir John Fortescue, *De laudibus legum Angliæ*, together with the *Summe* of Hengham, to both of which he subjoined numerous notes. In the same year, also, he addressed to Sir Francis Bacon, who had just obtained the great seal, his *Brief Discourse* touching the office of lord chancellor of England. In the following year he communicated to Purchas, who was then publishing his "Pilgrimage," a short tract "*Of the Jews, sometimes living in England.*"

It will be observed, that in the foregoing works Selden had confined himself to the illustration of the laws and antiquities of his own country ; but in the year 1617 he appeared in the new character of a biblical scholar and antiquarian. In that year was published his celebrated work, *De Diis Syriis syntagmata duo* ; in which he treated of the false deities mentioned in the Old Testament, and of the nature of the Syrian idolatry in general. This learned performance made the name of Selden generally known to the scholars of the continent ; and, in 1627, it was reprinted by the Elzevirs, under the superintendence of De Dieu, one of the professors in the Walloon college at Leyden, and of Daniel Heinsius, to whom the author dedicated the edition. Such was the reputation which this work gained abroad, that in 1662, and in 1680, it was again reprinted at Leipsic.

As yet the labours of Selden had served but to contribute to his honour and fame : but his next publication was productive of different consequences. In the year 1618 he gave to the public his *History of Tithes* ; in which he traced, with great learning and ingenuity, the rise and progress of that ecclesiastical payment, so as to overthrow the theory of those zealous churchmen who contended for the divine right of tithes. It was not to be expected that, at a period when the church of England exercised so triumphant a sway, a work tending to subvert the divine title of her ministers to their temporalities

would be suffered to appear without incurring every censure, ecclesiastical and temporal, which it was in the power of the church and her sons to inflict. Indignant at the learned outrage of which Selden had been guilty, the head of the church resolved to vindicate the rights of his servants. Accordingly, in December 1618, Selden was summoned to appear before the king at his palace of Theobalds. The guilty scholar was introduced by his friends Ben Jonson and Edward Heyward, and the royal theologian was pleased to point out to him the obnoxious passages in his work. A kingly critic is seldom mistaken; and Selden submissively promised to write an explanation of the passages to which his majesty had objected. Not content with this retraction, the churchmen, in the following month, summoned Selden before the court of high commission, when the unfortunate scholar was compelled to subscribe the following ignominious declaration:

“ My good lords, I most humbly acknowledge the error I have committed in publishing the *History of Tithes*; and especially in that I have at all, by showing any interpretation of Holy Scriptures, by meddling with councils, fathers, or canons, or by what else soever occurs in it, offered any occasion of argument against any right of maintenance, *jure divino*, of the ministers of the gospel: beseeching your lordships to receive this ingenuous and humble acknowledgment, together with the unfeigned protestation of my grief, for that through it I have so incurred both his majesty's and your lordships' displeasure, conceived against me on behalf of the church of England. JOHN SELDEN.”

That Selden displayed upon this occasion a want of that high moral courage which is one of the first and noblest qualities of a good citizen must be admitted; but the nerves of the martyr and of the patriot are not found in every frame: nor can it justly be made the subject of peculiar reproach, that the learning of Selden was not accompanied by the courage of Hampden. The studious habits of the scholar were but too well calculated to engender that “indulgence to his safety,” of which Cla-

rendon speaks as one of the characteristics of Selden's disposition ; and it has been well and justly remarked, that this error, " proceeding from natural timidity, and operating only defensively, is much less culpable in a moral estimate, than that spontaneous assumption of unreal sentiments and opinions which we see too often practised for profit or advancement." * Still it must be confessed, that it is impossible to view the character of Selden with that deep respect and fervent admiration with which we regard those resolute and high-minded men, whom no threats can prevail upon to retract, where they are conscious of having acted rightly.

Not content with employing the royal influence and the strong arm of the high commissioners to silence the unfortunate Selden, his antagonists resolved also to attack him with his own weapons ; and accordingly numerous answers were poured out by the exasperated champions of the church. But to every answer there might be a reply ; and Selden was not a man who would willingly decline a controversy. To prevent so dangerous a warfare, in which it was probable that the doctrine of divine right, as applied to temporal matters, would be treated with no gentle hand, the king interposed his royal authority ; and, sending for Selden, sternly forbade him to make any reply to the refutation which Mountagu, one of the state chaplains, was about to publish of the *History of Tithes*. " If you, or any of your friends," said his majesty, " shall write against this confutation, I will throw you into prison !" In answer to this cogent and conclusive argument Selden had nothing to offer, and contented himself with circulating amongst his friends some observations upon the works of his critics.

The anger of the king had been so greatly excited by this attack upon the privileges of his clergy, that Selden, who had not yet learned to withstand the frowns of royalty, found it necessary to propitiate his majesty by a recantation of certain opinions, in which it had been his misfortune to differ from him. Pursuant to the royal plea-

* Atkin's Life of Selden, p. 37.

sure, he therefore published three tracts, "*Of the Number 666 in the Revelations*;" "*Of Calvin's Judgment on the Book of Revelations*;" and "*Of the Birth-day of our Saviour*;" upon all of which subjects he had the discretion to perceive the error of his former opinions. In the mystic number he found new and more recondite meanings; in the Judgment of Calvin he no longer discovered the good sense and the modesty which had formerly distinguished it; and in Christmas-day he saw the actual return of the anniversary which he had formerly had the temerity to doubt. It is a painful spectacle to see learning and genius thus made the tools of oppression and terror.

But the period was now fast approaching when Selden was about to act a more noble and manly part. An important change in the state of society, and in the general condition of the people, had taken place, which at this time was beginning to render itself visible in the transactions between the crown and the parliament. In the year 1621 the commons assumed a tone, to which, however unpleasant it might sound in the royal ears, their constitutional station in the country entitled them. They complained in bold and decided terms of the grievances under which the nation laboured; and, notwithstanding the strong expression of the royal displeasure, they persisted in exercising this their great constitutional privilege. At length the king, moved to anger by the patriotic obstinacy of the commons, ventured to threaten them in language unbecoming the sovereign of a limited monarchy, asserting, that all their privileges were derived from himself and his ancestors, and hinting that their very existence depended upon his pleasure. Indignant at this assumption of absolute power, the house immediately took measures to vindicate their rights; and, in the course of the enquiries instituted with regard to the nature and extent of their privileges, they consulted Selden, though not at that time a member of the house, who entered into a long and learned dissertation on the subject, in which he took occasion to enlarge upon some

of the more prominent grievances of the times. In pursuance of the advice thus given, the house resolved to resist the aggressions of the prerogative ; but such was the indignation of the court at these proceedings, that Selden, together with Sir Edward Sandys, a very active member of the country party, was committed to the custody of the sheriffs of London. His imprisonment, however, was far from being rigorous ; and, after a few weeks' confinement, he was set at liberty. It appears that his release was procured at the intercession of Bishop Williams, who represented his case favourably to the Marquis of Buckingham. *

About this period Selden composed, by the order of the house of lords, a tract entitled *The Privilege of the Baronage*, first printed in the year 1642 ; and about the same time he wrote the tract on *The Judicature of Parliament* ; a work of inferior reputation, and by some persons supposed to have been composed by Sir Simon D'Ewes. It was not printed until the year 1681. In the year 1623, Selden edited the historical work of *Eadmer*, an early chronicler, and appended to it a number of learned notes.

In the same year, Selden entered for the first time into public life, and in the parliament which was summoned in February, 1623-4, appeared as one of the representatives for the borough of Lancaster, and in the parliament which assembled after the death of James I. he was returned for Great Bedwin. In both of these assemblies Selden ranged himself on the popular side, and conducted himself with a courage and decision which could scarcely have been expected from a man who had yielded without a struggle to the frowns of James I. But the hearts even of the weak and timid are animated into resolution and bravery by the presence and example of the resolute and the brave ; and in the society of Coke and Hollis and Ellyot, Selden ventured to act the part of an intrepid man and good citizen. The

* See the Appendix to the Proceedings and Debates of the Commons in 1620, vol. ii.

details of his conduct connected with the proceedings of parliament are matter of history, and do not require repetition in this place. It is sufficient to state, that in all the great constitutional debates of that stormy period he took an active and prominent part, and that he does not appear on any occasion to have shrunk from the performance of his weighty and dangerous duty. [Note 14.] On the 'dissolution of the parliament in 1628, Selden reaped the fruits of his patriotic exertions, and in company with Hollis, Ellyot, Stroud, and other eminent members of the commons, was committed under warrants from the council and the king to the Tower.

The history of the imprisoned members is well known. After a long, and for some time a very rigorous confinement, they were brought before the king's bench to be bailed, when the question of the legality of their imprisonment was raised, and decided against them by a suborned bench. Upon a second application to the court, the judges, who had, without doubt, received their instructions from the court, offered to admit them to bail provided they gave sureties in large sums for their future good behaviour. This proffer being rejected, the prisoners were remanded, and a similar proposal made soon afterwards met with a similar fate.* Upon this occasion Selden was instructed to speak for the rest; and on the refusal to find sureties, all the prisoners were remanded. At length various circumstances concurred to induce the court to relax its severity, and Selden, on application, was transferred by *habeas corpus* to the Marshalsea, and subsequently to the Gatehouse, where he was detained until May, 1630, in a confinement little more than nominal, being even permitted to visit his friend the Earl of Kent at his country seat. On these circumstances coming to the knowledge of the judges, and there being an irregularity in his removal to the Gatehouse, he was remanded to his former custody in the Marshalsea; but ultimately, at the intercession of several noblemen

* State Trials, vol. iii. pp. 225. 264.

who were desirous of availing themselves of his great professional services, he was released upon bail.

It is probable that the atmosphere of the Tower and of the Marshalsea produced a considerable effect on the political constitution of Selden, for on his liberation he seems to have recurred with zeal to the more tranquil pursuits of the scholar. Even during the active engagements of his parliamentary life he had not altogether lost sight of the studies so congenial to his disposition; and besides the composition of two short tracts, *Of the Original of Ecclesiastical Jurisdiction of Testaments*, and *Of the Disposition or Administration of Intestates' Goods*, he had added greatly to his literary reputation by the publication of his history of the Arundel Marbles, under the title of *Marmora Arundelliana, sive saxa Græca incisa* [Note 15.], a work which excited great interest both amongst the scholars of England and of the Continent. During his confinement in the Marshalsea, Selden had employed himself upon a work of Hebrew antiquities, which in 1631 was published under the title of *De Successionibus in bona defuncti ad leges Ebraeorum*, and of which a second edition was published in 1636, with a treatise *De Successione in pontificatum Ebraeorum*. Both of these treatises were dedicated to Archbishop Laud; a circumstance from which we may infer that the fervour of the author's political feelings had suffered some abatement. These learned performances were re-edited at Leyden in 1638, with additions by the author, and again at Frankfort in 1673.

In the year 1636 appeared the *Mare Clausum*, one of the most celebrated of the many learned works which Selden produced. It is probable that it was originally intended as an answer to the *Mare Liberum* of Grotius; but it is in fact a full history and exposition of the right claimed by the English to the sovereignty of the seas. This work had been composed many years, and so early as the year 1618 it was submitted, in MS., to James I. On the occurrence of the disputes with the Dutch in 1635, the treatise attracted the attention of Charles I.,

by whose order it was committed to the press. It was dedicated to the king ; and such was the satisfaction with which the work was regarded at court, that copies of it were ordered to be preserved in the council-chest, in the court of exchequer, and in the court of admiralty. In 1652 the *Mare Clausum* was translated into English by Marchmont Needham, and another translation appeared by J. H., probably James Howell, which is said by Mr. Butler to be the better version. *

On the assembling of the long parliament in 1640 Selden again appeared in public life, as one of the representatives of the university of Oxford. From the circumstance of his having been returned by that learned body, it is probable, that, notwithstanding the course which he had adopted when he formerly sat in the commons, he was considered upon the whole as not disaffected to the royal cause. However, during the stormy period which preceded the breaking forth of the civil war, Selden does not appear to have swerved from the line of conduct which he had on former occasions pursued. He sat and acted on the committee for enquiring into the arbitrary proceedings of the earl marshal's court, and on the committee for preparing the remonstrance on the state of the nation. He was joined in all the proceedings preparatory to the impeachment of the Earl of Strafford, though his name does not appear as one of the members appointed to manage the evidence at the trial ; and as he opposed the mode of proceeding against that nobleman by a bill of attainder†, he was ranked at this time by the populace as one of the "enemies of justice." He was on the committee appointed to examine into the unconstitutional decision of the court of exchequer-chamber on the subject of ship-money ; but when the question of the abolition of episcopacy was brought before the house, he ranked himself amongst the friends of the church of England. In the year 1641 Selden was appointed, probably in violation of his private feelings, a member of the committee to prepare articles of impeachment against Archbishop Laud.

* Notes to Coke's Litt. 261. a.

† State Trials, vol. iii. p. 1469.

The part which Selden had taken in the argument for the abolition of episcopacy, to which his education and principles inclined him, had doubtless the effect of creating a favourable disposition towards him on the part of the court, inasmuch that, upon the displacing of Littleton, who held the great seal, a serious design was entertained of conferring it upon Selden. It does not appear that the offer was actually made, since Lord Falkland and Sir Edward Hyde persuaded the king, that it would be in vain. Clarendon tells us, that "the Lord Falkland and himself, to whom his majesty referred the consideration of a proper person for it (the custody of the seal), did not doubt of Mr. Selden's affection for the king; but withal they knew him so well, that they concluded he would absolutely refuse the place if it were offered to him. He was in years, and of a tender constitution; he had for many years enjoyed his ease which he loved; he was rich, and would not have made a journey to York, or have lain out of his bed, for any preferment, which he had never affected." * However Selden may have been led by the timidity of his nature to make terms with power, it is obvious, from the opinion thus expressed by one who knew him well, that he was not esteemed to be a man who could be induced, by the prospect of honours and preferment, to abandon even his case, much less his integrity.

The affairs of the kingdom were now fast tending to a crisis; and Selden, with the more moderate men of both parties, witnessed with dismay the approaching appeal to arms. On the one hand, the parliament appointed their lieutenants in the different counties; while, on the other, the king issued his commissions of array. Against the latter proceeding, as a dangerous and unconstitutional measure, Selden spoke with much earnestness in his place in parliament; and such was the respect with which his opinion was universally regarded, that his speech had a decided influence upon the manner in which the measure was received by the country at large.

* Clarendon, *Hist. Rebell.*, vol. ii. p. 497. ed. 1826.

The king was much disturbed with the violent opposition which the commissions of array met with from one whom he had been taught to regard as not altogether adverse to his cause; and with the royal permission Lord Falkland addressed to Selden a letter, in which he enquired into the grounds of such a determined opposition. Selden replied by recapitulating shortly the arguments which he had made use of in the house, and added a similar opinion against the legality of the ordinance of parliament for the appointment of lieutenants.* That opinion he took occasion to express in his place; but the assembly that had listened so willingly to the learned arguments against the measures of the court paid little regard to the same authorities when urged against their own irregular courses.

The moderate part taken by Selden on this and other occasions appears to have excited the suspicions of the more violent portion of the parliamentary party, for, in the year 1643, on the discovery of Waller's plot, that person was interrogated by the house as to the supposed participation of Selden, Whitelocke, and Pierpoint in the conspiracy. This he strenuously denied, saying, "that he did come one evening to Selden's study, where Pierpoint and Whitelocke then were with Selden, on purpose to impart it to them all; and speaking of such a thing in general terms, these gentlemen did so inveigh against any such thing, as treachery and baseness, and that which might be the occasion of shedding much blood, that he durst not, for the respect he had for Selden and the rest, communicate any of the particulars to them, but was almost disheartened himself to proceed in it."† With this explanation the house were satisfied. In common with the other members who adhered to the party of the parliament, Selden subscribed the solemn league and covenant in 1644. A few months previous to this, the office of keeper of the records in the Tower had been conferred upon him by a vote of the house.

* Hist. of Rebell., vol. iii. p. 91. ed. 1826.

† Whitelocke's Mem., p. 60.

Amid all the disturbance of civil broils Selden did not neglect his literary pursuits. In 1640 appeared one of his most learned productions, entitled *De jure naturali et gentium, juxta disciplinam Hebræorum, libri septem*, containing a full discourse on the civil and religious polity of the Jews. In 1642 he published a version into Latin of a tract of the Patriarch Eutychius in the Arabic language, illustrating certain controverted points in ecclesiastical antiquities. This work was reprinted in 1656, under the superintendence of the learned Pococke, at the expense of Selden. In the year 1644 appeared a new work by this indefatigable scholar, *De anno civili veteris ecclesie, seu reipublice Judaicae dissertatio*; which, in 1646, was followed by his *Uxor Hebraica, seu de nuptiis et divortiis, ex jure civili, id est, divino et Talmudico, veterum Hebræorum, libri tres*. In the following year he resumed the study of English antiquities, and employed himself upon an edition of *Iteta*, to which he prefixed a learned dissertation. In 1650 he sent to the press his great work, *De Synedris et praefecturis Juridicis veterum Hebræorum*; which, with the *Vindiciae Maris clausi*, published in 1653, closes the long catalogue of his literary labours. In the latter work may be found much information relative to the biography of the author.

When the party to which Selden had principally attached himself rose into power, he made use of this circumstance for the protection, on various occasions, of the interests of literature. In particular, he exerted himself in favour of the university of Oxford, where he had received his education, sheltering it from the attacks of the more zealous members of his party. He extended the same fostering care to the university of Cambridge; and, in 1645, had the honour conferred upon him of being unanimously elected master of Trinity-hall, an office which he thought proper to decline.

At length, in the year 1654, the constitution of Selden began to give way, and a frame never remarkably robust yielded to the pressure of age and infirmities. Conscious

of the change which was approaching, he summoned to his side his friends, the primate Usher and Dr. Langbaine, to whom he expressed his confidence in the consolations of religion. He said, "that he had his study full of books and papers of most subjects in the world; yet at that time he could not recollect any passage wherein he could rest his soul, save out of the Holy Scriptures, wherein the most remarkable passage that lay most upon his spirit was *Titus* ii. 11, 12, 13, 14." Soon afterwards he sent for his friend Whitelocke, to advise with him on the subject of his temporal affairs, but was prevented from entering into them by increasing debility. He died (unmarried) on the last day of November, 1654, and on the 14th of December was interred in the Temple church, where a mural monument was raised to his memory. [Note 16.] He left considerable wealth, chiefly acquired, as it appears, by means of his connection with the family of the Earl of Kent. His library, which was of great extent and value, he had originally designed to bequeath to the Bodleian; but being offended by the refusal of the loan of a MS. from that library, without the usual pledge for its safe restitution, he bequeathed his books to his executors, Edward Hayward, John Vaughan, and Matthew Hale; who, regarding themselves "as the executors, not of his anger, but of his will," carried their testator's original intentions into effect, and deposited his valuable collection in the Bodleian. [Note 17.] A collection of ancient marbles, the property of Selden, was also deposited at Oxford. [Note 18.]

The character of Selden has been drawn by one who knew and admired him. "He was a person whom no character can flatter, or transmit in any expressions equal to his merit and virtue. He was of so stupendous a learning in all kinds, and in all languages (as may appear in his excellent and transcendent writings), that a man would have thought he had been entirely conversant amongst books, and had never spent an hour but in reading and writing; yet his humanity, courtesy, and affability were such, that he would have been thought to have

been bred in the best courts, but that his good-nature, charity, and delight in doing good, exceeded that breeding. His style in all his writings seems harsh, and sometimes obscure, which is not wholly to be imputed to the abstruse subjects of which he commonly treated, out of the paths trod by other men, but to a little undervaluing the beauty of style, and too much propensity to the language of antiquity ; but in his conversation he was the most clear discourser, and had the best faculty of making hard things easy and presenting them to the understanding that hath ever been known. Mr. Hyde was wont to say, that he valued himself upon nothing more than upon having had Mr. Selden's acquaintance from the time he was very young ; and held it with great delight as long as they were suffered to continue together in London ; and he was much troubled always when he heard him blamed, censured, and reproached for staying in London, and in the parliament, after they were in rebellion, and in the worst times, which his age obliged him to do ; and how wicked soever the actions were which were every day done, he was confident he had not given his consent to them, but would have hindered them if he could with his own safety, to which he was always enough indulgent. If he had some infirmities with other men, they were weighed down with wonderful and prodigious abilities and excellencies in the other scale." *

Some traits of Selden's personal character remain to be mentioned. His kindness to scholars in distress has been recorded in a letter from Merriek Casaubon to the primate Usher : " I was with Mr. Selden after I had been with your grace, whom, upon some intimation of my present condition and necessities, I found so noble as that he did not only presently furnish me with a considerable sum, but was so free and forward in his expressions, as that I could not find in my heart to tell him much of my purpose of selling, lest it might sound as a further pressing upon him, of whom I had already received so much." [Note 19.] Notwithstanding the

* Life of Clarendon.

courtesy and affability of which Lord Clarendon speaks, it appears that upon some occasions the habits of the scholar overcame the usual urbanity of Selden's disposition. We are told by Calomies, that when Isaac Vossius was sometimes ascending his staircase to pay him a visit, Selden, being engaged in some deep research, would call out to him from his study that he was not at leisure for conversation. Whittlecke, however, says that "his mind was as great as his learning; that he was as hospitable and generous as any man, and as good company to those whom he liked." * As to his religious opinions, we have the testimony of Sir Matthew Hale. "I know," says Baxter, in his additional notes on the life of Hale, "you are acquainted how greatly he valued Mr. Selden, being one of his executors, his books and picture being still near him. I think it meet, therefore, to remember that because many Hobbists do report that Mr. Selden was at the heart an infidel, and inclined to the opinions of Hobbes, I desired him to tell me the truth herein: and he oft professed to me that Mr. Selden was a resolved, serious Christian, and that he was a great adversary to Hobbes' errors, and that he had seen him openly oppose him so earnestly, as either to depart from him or drive him out of the room." In another place, Baxter tells us that Selden would not have Hobbes in his chamber while he was dying, calling out "No atheists!" But, according to Mr. D'Israeli, it appears from Aubrey's papers that Hobbes stood by the side of his dying friend. †

After the death of Selden, a small volume of apophthegms was published by his amanuensis, Richard Milward, under the title of *Selden's Table Talk*. The authenticity of these apophthegms has been sometimes doubted, and especially by Dr. Wilkins, who considers many parts of the volume as derogatory to the character of Selden. Another of Selden's biographers ‡, however, is of opinion that the *Table Talk* has a great air of genuineness, and has accordingly extracted from it many passages as illus-

* Memor. p. 608.

† Quarrels of Authors, vol. iii. p. 53.

‡ Dr. Aikin.

trative of the sentiments and habits of Selden. "There are some of the thoughts and maxima recorded in Selden's 'Table Talk,'" observes that judicious writer, "in which there appears a sufficient conformity with his conduct and writings to remove all suspicion that they were not his real sentiments. There are, besides, many of a lighter kind, and some, as has been hinted, more lax and worldly in their morality than might have been expected from a man of his honourable character, but which, perhaps, were advanced in conversation as plausible deductions from principles only assumed for the sake of argument." [Note 20.]

A collected edition of the works of Selden was published in the year 1726, by Dr. David Wilkins, archdeacon of Suffolk, &c. in 3 vols. folio (usually bound in six), to which the editor has prefixed a life of the author.

Some specimens of Selden's poetical attempts remain *; but they are not such as to induce any regret that he devoted so little of his time to the Muses. He is, however, introduced by Sir John Suckling, in his "Session of the Poets."

"There was Selden, and he sat close by the chair."

MATTHEW HALE.

1609—1676.

MATTHEW HALE was born on the 1st Nov. 1609, at Alderley, in the county of Gloucester. [Note 21.] His grandfather, Robert Hale, had acquired a considerable fortune in trade, which he divided amongst his five sons; the second of whom, Robert, was educated for the bar, and married Joan, the daughter of Matthew Poyntz, esquire, of Alderley, a branch of the noble family of the Poyntzes of Acton. Matthew, the subject of this memoir, was the only issue of the marriage. His father

* See his verses in Greek, Latin, and English, in Brown's *Britannia's Pastorals*.