

## JOHN WILLIAM SMITH—SKETCH OF HIS LIFE.

## SELECTIONS.

## JOHN WILLIAM SMITH.

"I have done nothing worthy of being remembered for," said John William Smith to a friend, shortly before his death; but such has not been the verdict of those who have survived him, and who have known and appreciated his labours. Had he accomplished nothing else, his "Leading Cases" would have been a monument which would have perpetuated his name and memory when most of his contemporaries were forgotten. There is naturally a desire to know something of the men who have connected their names with, and impressed their thoughts upon the best of our legal literature. Among these, few deserve a higher rank than Mr. Smith. We have prepared the following brief sketch of his life in the belief that it will be found interesting to all, and in the hope that it will prove instructive to the young lawyer in teaching him to wait and prepare for *his opportunity* with modest patience and fortitude and indomitable industry and energy, and that other important lesson, so often forgotten, the necessity of *moderation* in the pursuit of the distinctions and emoluments of his profession. To memoirs by two of Mr. Smith's friends—one by Mr. Phillimore in the *Law Magazine* for February, 1746, and the other by Mr. Samuel Warren in *Blackwood* for February, 1867, we are indebted for most of the facts of this article.

John William Smith was born of Irish parents, in London, on the 23d of January, 1809. He displayed, even in his early years, a precocious intellectual development, not often to be highly valued, but which proved, in his case, an accurate indication of the great mental powers which he displayed in maturer years.

In 1826 he entered Trinity College, Dublin, where his whole career was one of easy triumph. In 1829, he gained a scholarship, and, the year following, the gold medal for classics, the highest honor in the gift of the college. So little, however, was he elated by this distinction, that it was not until some years afterwards that, happening to be in Dublin, he called for and received his medal. Having determined to go to the bar, he was entered at the Inner Temple in 1827,

though still pursuing his course at Trinity. The ease with which he got through his collegiate studies left him leisure for the acquisition of legal knowledge, and he procured a copy of Blackstone, and read it through several times with deep attention. Cruise's Digest, in seven volumes, octavo, he also read twice over, and Coke upon Littleton—an "uncouth, crabbed author," as Lord Mansfield said—he studied carefully. This would be a rather formidable course for leisure hours at college, but so rapidly and attentively did Mr. Smith read, and so tenaciously did his memory retain, that it was to him no difficult task. In 1830, he began keeping terms at the Inner Temple, and his appearance then was described by a fellow student as that of "a bashful, awkward person, dull and taciturn, with a formal, precise way of speaking, and a slight abruptness of manner." "His personal appearance was, it must be candidly owned, certainly insignificant and unprepossessing. He was of slight make, a trifle under the middle height; his hair was rather light, and his complexion pale. He wore spectacles, being excessively nearsighted, and had a very slight cast in his eyes, which were somewhat full and prominent. The expression of his features, at all events when in repose, was neither intellectual nor engaging, but they improved when he was animated or excited in conversation." Not a prepossessing picture, surely, but then it is only of the exterior, the physical. His mind proved to be as wonderful and beautiful as his body was plain and ungainly, and it did not take very long for the worthier of his fellow students to discover this.

In the same year he entered the chambers of Mr. Richard Blick, one of the most eminent special pleaders in the Temple, and after reading Tidd's Practice and Selwyn's Nisi Prius, concluded that "he had not a sufficient knowledge of pleading to get any benefit from the business which he saw." He therefore absented himself from chambers for a time, and after having read most thoroughly Chitty on Pleadings and Phillips on Evidence, returned to avail himself of the advantages offered by Mr. Blick's extensive practice. Here he laid the basis of an extended, profound and scientific knowledge of the law. With a wonderful memory, a clear, vigorous and disciplined