

*THE LATE SIR JOHN BYLES.*

The celebrated author of "Byles on Bills," formerly a judge of the Court of Common Pleas, died on the 3rd of February. The *Law Journal* (London) says:—

"The career of Sir John Byles was that of a most successful advocate at the bar, and a very learned lawyer as barrister and judge in one branch of legal study. 'Byles on Bills' for accuracy and clearness is among the best law books in the English language. Lawyers and judges have for years turned to it for information with absolute confidence. It is not too much to say that without it the codification of the law of bills of exchange would have been impossible. Sir John Byles took an interest in this book up to a very few weeks before his death. A question whether its copyright had not been infringed was referred to him to decide whether any and what proceedings should be taken. We believe the matter was amicably arranged, but the incident is curious as showing that one of his last acts was in vindication of the book which in the future will be his chief title to fame. Sir John was thirty years of age before he was called to the bar, and up to that he had been in business. His business experiences, perhaps, suggested to him the production of a book on one of the most important branches of commercial law. The success of the book still further determined the bent of his legal studies and practice. He became a good commercial lawyer, but he never gained any great reputation in other branches of the law. His mind wanted that breadth and clearheadedness which are essential to the intellectual equipment of a great lawyer, who is to lay down propositions of universal application. He will never take the place filled by James, Willes or Jessel, but will always be known as Byles on Bills, a result to which the 'artful aid' of alliteration conduces. Many are the stories told of Sir John Byles when at the bar and on the bench. His horse figures in several of them. When he was at the bar he had a horse, or rather a pony, which used to arrive at King's Bench Walk every afternoon at three o'clock. Whatever his engagements, Mr. Byles would manage by hook or by crook to take a ride,

generally to the Regent's Park and back, on this animal, the sorry appearance of which was the amusement of the Temple. This horse, it is said, was sometimes called 'Bill' to give opportunity for the combination 'there goes Byles on Bills;' but if tradition is to be believed, this was not the name by which its master knew it. He, or he and his clerk between them, called the horse 'Business;' and when a too curious client asked where the Serjeant was, the clerk answered with a clear conscience that he was 'out on Business.' When on the bench, Mr. Justice Byles' taste in horseflesh does not seem to have improved. It is related of him that in an argument upon section 17 of the Statute of Frauds he put to the counsel arguing a case, by way of illustration. 'Suppose Mr. So and So' he said, 'that I were to agree to sell you my horse, do you mean to say that I could not recover the price unless,' and so on. The illustration was so pointed that there was no way out of it but to say, 'My lord, the section applies only to things of the value of 10*l.*,' a retort which all who had ever seen the horse thoroughly appreciated. Instances of his astuteness in advocacy were numerous. His mode of winning cases was not by carrying juries with him by a storm of eloquence, or cross-examining witnesses out of court, but by discovering the weak point in his adversary's case and tripping him up, or by the nice conduct of such resources as his own case possessed. On one occasion he was retained for the defendant with Mr., afterward Mr. Justice, Willes, whom he led at the bar, but who was afterward his senior in the Court of Common Pleas, in a case of some complication tried before Chief Justice Jervis. At the end of the day (Saturday), Mr. Byles submitted that there was no case, and the judge rose to give his decision next week. In the interval Willes asked Byles why he did not take a particular point which both had agreed in consultation to be fatal to the plaintiff's case. 'I left that to the chief justice,' said Byles; 'I led up to it, and walked round it, so that he cannot miss it, but if I had taken it he would have decided against us at once.' And so it proved, for on Monday morning the chief justice gave an elaborate judgment overruling all the points