

## Vale Sir Maurice

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Eulogy delivered by  
the Honourable Sir Anthony Mason AC KBE

At the Memorial Service, St Mary's Cathedral,  
Sydney, 8 February 1999

In my mind's eye the image I have of Maurice Byers goes back to the first occasion on which I encountered him. He was appearing for one of a number of tenants in a case at Central in which the landlord was seeking to recover possession of city premises. As an articled clerk I was instructing a particularly stolid and obdurate counsel for another tenant. I was fascinated by Maurice's performance. So much so that I endeavoured to persuade my master solicitor to brief him – to no avail, my advocacy being distinctly inferior to that of Maurice.

As the years passed, our paths crossed in a fortuitous fashion, as happens at the Bar. Sometimes I appeared as his junior and at other times against him. Working with him, as many here will know, was a wonderful experience. His good humour and goodwill were legendary. He always had his own ideas about the way a case should be conducted. Like all good counsel, he nourished a healthy scepticism of judges. Infallibility was a characteristic of the Pope and not one that his Holiness condescended to share with judges.

Maurice was both a distinctive personality and a distinctive advocate. His background was not that of a typical barrister. His father was both a hotel keeper and a bookmaker at a time when the punter did not enjoy a playing field as level as it is today. Much of Maurice's early life was spent living in the family accommodation in the Great Southern Hotel and the Forbes Hotel in the heart of the city. Despite the vicissitudes of fortune caused by the Great Depression, he had a very happy childhood. To his friends in later life it would come as no surprise to learn that, as a schoolboy, he was no lean and hungry Cassius. In fact, he was tubby, giving promise of the outline with which we became so familiar. Even then his good nature shielded him from the taunts that might otherwise have come his way.

Educated at St Aloysius College, he was continuously top of his class. He graduated from the Sydney Law School with First Class Honours. Despite that, he lacked connections with the legal profession. He had to make his own way at the Bar, relying on work from less fashionable and smaller firms of solicitors whose

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