

difference, at any rate in courts of law, between bathos and pathos, and the line even in greatest oratory is a very fine one. Everybody who takes an interest, as all lawyers must do, in the art of speech, recalls perhaps the most famous, most moving passage ever spoken in the British House of Commons in the last century,—the passage in John Bright's oration dealing with the Crimean War which contains the famous phrase: "The Angel of Death is amongst us. You may almost hear the beating of his wings." And yet it is a good House of Commons tradition that when Mr. Bright went out into the lobby and received the congratulations of his friends, one of them, said "It is just as well you said 'beating', for if you had said 'flapping' we should have laughed." (Laughter.)

Now, Mr. Justice Duff, I had intended in what I first sketched out for myself to occupy some portion of my time, and perhaps a major portion of the time, in discussing a question always, I think, interesting, and one which is of importance both to professional lawyers and to those of the public who take an interest in the law,—the question as to how it is possible to reconcile the duty and function of an advocate with the dictates of morality. But after I had accepted the invitation which Sir James on behalf of the association so kindly conveyed to me, I found that last year there had been delivered at a meeting similar to this, and is recorded in the transactions of the association, a most admirable address—if I may be allowed to say so—on this subject by Chief Justice Mathers. I have read it—I hope everybody has read it—with the greatest interest and appreciation. Therefore I will curtail what I had intended to say on this subject, though I will not entirely omit it. The problem is a familiar one. Most members of the bar have been challenged at at some time or other with the question "How it is possible, Sir, that you should be prepared to defend a guilty man?" We all know that question, and it is worth considering for a moment, because it has a direct bearing on the question as to what is the real nature of the vocation of the advocate.

Now is it consistent with the duty of honour and candour to espouse what may be the worse cause, and perhaps, still more, to resist an argument which may turn out to be, and may upon its face appear to be, founded on truth? How is