

ton by Mr. Godfrey Isaacs, if they thought that appearance in such cases would interfere with their duty in Parliament to their constituents."

The same authority goes on to say that, having accepted briefs in these Marconi cases, the gentlemen named could not take part in any debates or divisions in the House of Commons on the report of the Marconi committee, and apparently they did not.

The same writer says again:—

"There are, of course, some cases in which counsel is bound in honour to appear for a client. Let me give an instance. Tom Paine was in 1792 prosecuted for a seditious libel—the first part of the 'Rights of Man'—and Erskine was retained for the defence. He was then Attorney-General to the Prince of Wales. Every effort was made to induce Erskine not to appear for the defendant. In his speech for the defence he referred 'to the calumnious clamour that by every art has been raised and kept up against me.' Then he went on to say:—

" 'Little, indeed, did they know me who thought that such calumnies would influence my conduct. I will for ever, at all hazards, assert the dignity, independence, and integrity of the English Bar; without which impartial justice, the most valuable part of the English constitution, can have no existence. From the moment that any advocate can be permitted to say that he will or will not stand between the Crown and the subject arraigned in the court where he daily sits to practise, from that moment the liberties of England are at an end. If the advocate refuses to defend from what he may think of the charge or of the defence, he assumes the character of the judge; nay, he assumes it before the hour of judgment, and in proportion to his rank and reputation puts the heavy influence of perhaps a mistaken opinion into the scale against the accused, in whose favour the benevolent principle of the English law makes all presumptions, and which commands the very judge to be his counsel.' (State Trials, vol. 22, p. 411.)

"Erskine for his brave and honest defence was removed from his office of Attorney-General to the Prince of Wales."