

held by the great text-writers for centuries, and has been accepted and acted upon both in subsequent enactments and decided cases. In fact, the point may be summed up in the sentence 'the subject owes allegiance at all times and in all places.'"

As we all know, the prisoner was found guilty and sentenced to death; but it is quite possible that the sentence may not be carried out. It may be wisdom not to make a martyr of him. Some of his countrymen, not themselves by the way under sentence of death, might be pleased if it should be enforced, as it would give them further material for treasonable declamations. The trial did not create as much interest as it would under other circumstances; the nation was too much engrossed with other matters to devote much time to Sir Roger Casement.

There were, however, several incidents at the trial worth noting. One of them is referred to by the *Solicitors' Journal* as follows:—

"A neat variation on the well-known plan of untying a Gordian knot by cutting it was found by Lord Reading on Wednesday in the Casement trial. Two counsel had been allotted to the prisoner in accordance with the procedure laid down by the Treason Act 1695 (7 & 8 Will. 3, c. 3), namely, Sergeant Sullivan and Mr. Artemus Morgan, the well-known authority on constitutional law, recently called to the English Bar; but as Professor Morgan was not one of the two counsel named by the Court under the statute, he was not strictly entitled to appear on behalf of the prisoner; at least, so Tindal, L.C.J., decided in *Reg. v. Frost* (4 State Trials, N.S. 105), when he refused to hear Mr. Thomas the third counsel briefed for the defendant Frost. On the present occasion Sergeant Sullivan took a highly technical and very interesting point on the statutory law of treason by way of objection to the indictment, and he desired permission for Professor Morgan to follow him. But how to get over the adverse precedent of *Reg. v. Frost*? Lord Reading found a graceful way of doing so; he consented to hear Mr. Morgan, not as counsel for the prisoner, but as *amicus curiæ* on the point of law."