

the Seas. Many years had elapsed in Canada, for instance, since an information charging sedition had been laid or a true bill found by a grand jury against a prisoner accused of the crime. Such had been our freedom from those unhappy conditions which breed sedition that we had almost forgotten the existence of such a crime in the calendar. Not since the notable trial, conviction and execution in 1885 of Louis Riel for high treason had Canada to cope with this crime. In England the most notable case of modern times was the prosecution of Arthur Alfred Lynch, an Australian, who on the 18th of January, 1900, took the oath of allegiance to the South African Republic (then at war with Great Britain) and became a colonel in command of an Irish Brigade and fought against the Empire in the South African War. After the war, Lynch was arrested, charged with treason, resulting in a trial at bar before Lord Chief Justice Alverstone and Justices Wills and Chanse¹ at London, England, on January 21st to 23rd, 1903. In the Treason Act of 1351 was found statutory law supporting the indictment, and, during the attacks upon the indictment, there was much discussion by counsel of the views of learned law writers of antiquity, references being made to Comyn's Digest, Hawkins' Pleas of the Crown, East's Pleas of the Crown, and Coke's Institutes. The case went to the jury, a verdict of "guilty" was found, and sentence of death pronounced. This was subsequently commuted to penal servitude for life. It is interesting to note that "Colonel" Lynch was, while a felon under sentence of death, elected, by an Irish constituency, to the British House of Commons as a Home Ruler. He was subsequently pardoned, and served with distinction in His Majesty's armies in the Great War.

*Rex v. Lynch** was the leading case cited upon the trial of Roger Casement†, who had rendered notable service to the British Empire, for which he was knighted, but believing that the Empire

*72 L.J.K.B. 167 (1903), 1 K.B. 444, 88 L.T. 26, 51 W.R. 619, 67 J.P. 41 20 Cox C.C. 468, 19 T.L.R. 163.

†86 L.J.K.B. 467, (1917) 1 K.B. 98, 115 L.T. 277, 25 Cox C.C. 480, 60 S.J. 656, 32 T.L.R. 667, C.C.A.