or directory statute regulates whenever the interest of the public require it. The ballot provides for secret voting. It does not enjoin compulsory voting. The method to be observed by the voter in recording his vote is laid down. The voter is prohibited from voting otherwise than as the Statute provides. The sanction is here the nullification of the vote if the regulations are not complied with. The duty or obligation is to secure secrecy as far as possible. But there is no positive *command* to vote. There are regulations therefore that involve a prohibition, a sanction, and a duty or obligation. Harrison endeavours to show that three elements named in the analysis of Austin do not of necessity constitute a law, and that there may be a law without the three essentials claimed by Austin. Does not the substitution we propose of a prohibition instead of a command in the case of regulations solve the difficulty! When enabling clauses or directory amendments are appended to positive enactments, then there are both commands and prohibitions involved in the law, and in fact the law is complex, being both a command and a regulation. In forming a system of jurisprudence it is desirable to avoid technicality. The choice between technicality and practical feasibility should in every case be made in favour of the latter. Happily the spirit of the age is innocently utilitarian in this regard. The adoption of the English system of procedure in our courts marks a stage in the geological formation of our laws. If some fossil remains should happen to be found therein, they may be of interest to the student of law in its historical aspects, while they are comparatively innocuous in the statutory structures in which they occur. By degrees they are chipped out and laid aside as curiosities, while the formations in which they occur will remain intact. It is not by over-refining that jurisprudence will become scientifically established—rather by placing a broad and liberal ideal before the jurist, and thereby making all the details of the system conform as closely as possible thereto. In the description of the reasons why man should obey the law, it should be borne in mind that law invests itself in imperial dignity only when it is ethical in the highest degree. The moral basis for law is not sufficient. It lacks the authority that alone can give it weight. It is simply obvious utility. But the spiritual basis of law not unfrequently inserts a prohibition when utility would issue a command. That no system of jurisprudence, void of this spiritual element can survive the shocks of aggravated wrong, is so palpable a truism as scarcely to need expression. That mere authority founded on precedents must give way—that the self-interested utilitarianism of the age which is quickly "ringing down the corridors of time" must weaken and disappear before a spiritual ethics that will shortly reign in its stead, is the hopeful dream of the true jurist and the conscientious legal philosopher.

R. W. WILSON.

REPORTS

RECENT ENGLISH PRACTICE CASES.

WEBB V. STENTON.

Imp. O. 45, r. 2.—Ont. Rule 370.

Attachment of debt—Garnishee order.

[W. N. 83, p. 108.

Plaintiff sought to attach, under above rule, the interest of H. under a will, such interest being a share of an income from a trust fund of which the garnishees were trustees, which share was payable half-yearly. At the time when the garnishee order was applied for nothing was due in respect of such annuity in the hands of the trustees.

Held, by Court of Appeal, there was no debt legal or equitable "owing or accruing" from the garnishees within the meaning of the above rule, which could be attached.