

to the ancient procedure in civil suits at Common Law. The first proceeding in which was the *capias ad respondendum*. In case of offences against the Court itself, the first proceeding by analogy is to attach the offender and bring him before the Court to answer, that is to make his defence, if any.

In case of offences committed in the face of the Court, that is tantamount to a conviction, and an order of committal properly follows.

If what has been said above shews the true distinction between an attachment and committal, the following line of action would appear to result. Where the application against a party in contempt is made *ex parte* for his arrest, it should be for an attachment: where it is made on notice of motion it should be for a committal.

THE LEGAL ASPECT OF MILITARY SERVICE IN CANADA.

There is apparently some ignorance or misconception in this country as to liability for military service.

The existence, moreover, of the Militia Act as part of the law of the land is unknown to many, and its provisions have, up to the present time, been ignored, whether wisely or not it is not for us to say. It was originally framed in times of stress such as are upon us at present, and was from time to time changed and its scope enlarged to meet new conditions when emergencies seemed to render it wise to do so.

It is not the province of a legal periodical to discuss or analyse the motives or the hidden springs of action which have caused a certain class of journalists and public speakers to denounce what they call 'militarism'; but it is our duty to direct attention to what is undoubtedly the law; a law which, if carried out according to the spirit of it would, in the opinion of many, best provide at the present time for the defence of Canada and the protection of Imperial interests.