This relief has been granted even as against the purchaser from the mortgagee after the final order of foreclosure. But there must be strong grounds for disturbing the purchaser. Thus, if the purchaser bought the lands within a short time after the final order was made and with notice of the fact that they were of much greater value than the mortgage debt, the foreclosure might be opened as against him. But the Court would be disinclined to interfere with a person who purchased the lands many years after the date of the order and without notice of any circumstances which might lead to opening the foreclosure: *Campbell* v *Holyland* (1877), 7 Ch.D. 166.

And where there were such irregularities as were sufficient to give notice to the purchaser from the mortgagee that there was something unusual in the proceedings, and they were in fact irregular, the mortgagor was allowed to redeem: *Johnston* v. *Johnston* (1882), 9 P.R. (Ont.) 259.

The mortgagor must make his application to open the foreclosure within a reasonable time. What is a reasonable time will depend upon the nature of the property: *Campbell* v. *Holyland* (1877), 7 Ch.D. 166.

The terms are in the discretion of the Court. The mortgagor must satisfy the Court that he will be able to redeem if further time is allowed, and he may be required to pay the interest and costs by an early date; or to pay the costs forthwith; or to give security for costs in the event of default: see *Trinity College* v. *Hill* (1885), 8 O.R. 286; *Holford* v. *Yate* (1855), 1 K. & J. 677; *Whitfield* v. *Roberts* (1861), 7 Jur. N.S. 1268; *Howard* v. *Macara* (1859), 1 Chy. Ch. (U.C.) 27.

A long delay of nearly twenty years in moving to re-open a foreclosure on the ground of irregularities was held too late in *Hazel* v. *Wilkes*, 1 O.W. N. 1096, 16 O.W.R. 754.

Relief was given to execution creditors who had moved with reasonable promptness after the final order in *Scottish American Investment Co.* v. *Brewer*, 2 O.L.R. 369.

Under the provisions of sec. 126 of the Manitoba "Real Property Act," R.S.M. (1902), ch. 148, as amended by sec. 3 of chapter 75 of the statutes of Manitoba, 5 and 6 Edw. VII., the Court has jurisdiction to open up foreclosure proceedings in respect of mortgages foreclosed under secs. 113 and 114 of the Act, notwithstanding the issue of a certificate of title, in the same manner and upon the same grounds as in the case of ordinary mortgages, at all events where rights of a third party holding the status of a *bona fide* purchaser for value have not intervened. The judgment appealed from (19 Man. R. 560, 13 W.L.R. 451) was reversed: *Williams* v. *Box*, 44 Can. S.C.R. 1, 13 W.L.R. 451. Leave to appeal to the Privy Council was refused, 44 Can. S.C.R. 1.

An action upon a mortgage, for foreclosure, was begun in 1898, and the usual judgment was pronounced on January 30, 1899. One of the mortgagors defendants died on June 20, 1899, an infant, unmarried, and intestate. On May 2, 1900, a final order of foreclosure was granted, no notice being taken of the death of the infant, and he and not his personal representatives or those claiming under him being declared to stand absolutely debarred and foreclosed. It was held that the final order was irregular