

corpus will run while war lasts. Success on any one of these points would be sufficient, but, in fact, it was the second point on which the Court based its decision. As regards the third, while refusing to decide it, the court very naturally intimated that it felt great repugnance to recognizing so wide a power.

As regards the first point, that Liebmann was an alien enemy, the court had simply to follow a recent decision of the Court of Appeal - *Ex parte Weber*, ante, p. 692. In that case the applicant for a writ of habeas corpus was a German who, according to German law, had lost his nationality by long absence from his country, but under a recent German statute could take proceedings to regain it if he returned to Germany. The Court of Appeal held that, for purposes of English law, he must be regarded as German—the status of “no nationality” is unknown to our law. Liebmann was in the same boat as Weber, except that he had obtained twenty-five years ago a formal release from German nationality; but this release operates only in the municipal law of Germany, and not in that of England nor in International law, where, according to the better opinion, everyone must have a nationality. Hence Liebmann was an alien enemy. But at common law an alien enemy can neither sue nor obtain the remedy of habeas corpus unless he resides here sub domini regis protectione. Registration of an alien enemy under the Aliens Restriction Act, 1914, and Orders is equivalent to a licence to reside here, and confers this protection and all ancillary rights: *Princess Thurn and Taxis v Moffitt*, ante, p. 26, (1915) 1 Ch. 58. But the licence, said Low, J., is revocable at any time by the Crown, and the order of internment in Liebmann's case must be regarded as an implied revocation of the licence to reside conferred by registration. Hence Liebmann reverted to his common status of an outlaw, and could not ask for the protection of the court, though, of course, the imprisonment of civilian enemies is a retrograde step, whether justified by present circumstances we need not here inquire.

Although, however, Mr. Justice Low intimated his determination of the first point in the way we have summarized, the