

(bearing in mind the egregious efforts of the prophets in the first year of the war) will not attempt to answer.

RELIEF FROM DEBTS.

There is another type of "emergency legislation" which is of more direct interest to lawyers. I refer to those Acts which provide for the suspension of remedies against persons who have got into financial difficulty owing to the war. Broadly speaking, these Acts enable the Court to suspend execution (without which a mere recorded judgment is a vain thing) or to prevent an ejectment or distress for rent, or the foreclosure of a mortgage. But these very wide powers can only be exercised in favour of persons who have suffered in the war—and only then with great caution. Who knows but that the "creditor" seeking the fruits of a judgment has himself suffered? A landlord whose rent is in arrear may be a needy war widow who, if she could only get rid of a bad tenant, might immediately admit a good one. In the recent case of *Re Jobson* (34 T.L.R. 184) Mr. Justice Eve made some useful observations as to the attitude of the Court when a mortgagor is seeking to prevent a mortgagee exercising his right to foreclose. He pointed out that a man may purchase property as an investment, and borrow part of the purchase money on mortgage, or he may raise money on the security of his house or business premises for the purposes of his business. The learned judge intimated that on an application for relief against foreclosure the Court would be bound to consider how in the ordinary course the particular security would be dealt with if the mortgagee was seeking foreclosure, and that, in granting relief, the Court must enquire somewhat closely into the reasons why the creditor cannot avail himself of the ordinary means of getting rid of his liability.

VENIRE DE NOVO.

The Court of Criminal Appeal have recently heard and given effect to a somewhat unusual plea on behalf of a prisoner. It was alleged by counsel that there had been a mis-trial, and that the verdict and sentence were a mere nullity. The grounds for