

tional as applied to cases in which the suspension of the remedy is for an uncertain and unascertained and indefinite period: *Clark v. Martin*, 13 Wright.

An individual mustered into the military service "for the term of during the war," is mustered for an indefinite period without any ascertained limitation, and the suspension of civil process against him for such a period is unconstitutional: *Id.*

SURETY.

Suretyship and Guaranty distinguished—Where one by writing at the foot of a lease agreed under the seal as follows: "For consideration received I hereby agree to become security for the faithful performance of the above agreement:" *Held*, that the contract was not a guaranty, but an engagement of suretyship: *Allen v. Hubert*, 13 Wright.

TRUST.

Devise for Maintenance and Education of Children during minority by Widow.—When Trust determined by her Death.—A testator bequeathed one-third of his personal estate to his wife absolutely, and the residue of real and personal, to a trustee in trust for the payment of debts, &c., and then to receive and pay over one-third of the net income of the real estate to his wife, during her natural life, for her sole and separate use, and the residue of the net income of real and personal, to pay over to her for the support, maintenance, and education of his children until the youngest should arrive at the age of twenty-one years, when the personal estate should be divided among them; and afterwards provided that after her decease the trusts and limitations created by the will should cease and determine.

Held, that the testamentary trust expired at the death of the widow, though it occurred during the minority of the children, and that the balance in the hands of the trustee must be paid to their guardian: *Fitzpatrick's Appeal*, 13 Wright.

LIST OF NEW LAW BOOKS RECEIVED BY THE PUBLISHERS OF THE AMERICAN LAW REGISTER.

BISHOP.—Commentaries on the Criminal Law. By JOEL PRENTISS BISHOP, author of Commentaries on the Law of Marriage and Divorce. Third edition, two volumes. Boston: Little, Brown & Co., 1865.

CALIFORNIA.—Reports of Cases determined in the Supreme Court of the State of California. By CHARLES A. TUTTLE. Volumes XXV. and XXVI. Sacramento: O. M. Clages & Co., 1865.

CURWEN.—A Manual upon the Searching of Records and the Preparation of Abstracts of Title to Real Property. Illustrated by references to the Statutes of Pennsylvania, Ohio, Kentucky, Indiana, Illinois, Iowa, and Kansas. By MASKELL E. CURWEN, of the Cincinnati Bar. Cincinnati: Robt. Clarke & Co., 1865. 12mo., pp. 191. Cloth \$1.50, sheep \$1.75.

MAINE.—Reports of Cases in Law and Equity, determined by the Supreme Judicial Court of Maine. By WALES HUBBARD, Reporter of the State. Vol. L. Hallowell: Masters, Smith & Co., 1865.