

pay the notes takes the same title that the vendee had; that is to say, an equitable title, the land being still charged with the payment of the purchase-money: *Lewis v. Hawkins et al*, 23 Wall.

A discharge of such purchaser from the vendee under the Bankrupt Act will relieve such purchaser from paying the notes, but it will not give him a legal title in fee to the lands. That title, subject to the equity of the vendee, or of the purchaser from him, remains in the vendor: *Id.*

A statute of limitations barring suits for the recovery of real estate after a certain lapse of time, does not apply to a case like that above described. The vendee, or the purchaser from him, stands in the relation of a trustee to the vendor for the unpaid purchase-money (or, as the matter is looked upon in some states, stands in that of a mortgagee), against whom the statute does not run: *Id.*

If the notes are not paid, the vendor may apply by bill in equity against the vendee and the purchaser from him, tendering a good deed, and ask that they pay the purchase-money at short date or be foreclosed from setting up any right to the land, and that it be sold and the proceeds applied to paying the purchase-money: *Id.*

Where confessedly the title of a party claiming land as owner, and who has agreed to sell, is denied by the vendee and a dispute has taken place about title, so that a tender of a deed would be a useless ceremony, costs on a bill filed to enforce the payment of the purchase-money must abide the result of the suit: *Id.*

If the purchaser from the vendee be dead, leaving a widow, his executrix, and heirs-at-law, to whom with her his real estate has descended, they ought to be made parties defendant to any bill to foreclose: *Id.*

LIST OF NEW LAW BOOKS.

DELAWARE.—Reports of Cases in the Court of Chancery, during the time of Chancellor Ridgley, 1814–1829; compiled by Hon. DANIEL M. BATES, late Chancellor of the state. Vol. 1. Philadelphia: T. & J. W. Johnson & Co. 8vo. \$8.

KANSAS.—Reports of Cases in the Supreme Court. Vol. 14. By W. C. WEBB. Topeka: G. W. Martin.

MARYLAND.—Reports of Cases in the Court of Appeals. Vol. 42. By J. SHAAF STOCKETT. Baltimore: W. K. Boyle & Son.

NEBRASKA.—Reports of Cases in the Supreme Court. Vol. 4. By GUY A. BROWN. Des Moines, Iowa: Mills & Co.

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PARSONS.—A Series of Essays on Legal Topics. By JAMES PARSONS, Professor in the Law Department of the University of Pennsylvania. 8vo. pp. 153. Philadelphia: Rees Welsh.

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