

principle, upon which a subsequent purchaser is charged by a notice of a prior equitable title is strikingly analogous, if not precisely identical with it.

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Court of Appeals of Kentucky.

NORRIS vs. DONIPHAN.

NOTE.—Since the publication of our June number we have received from Mr. Justice BULLITT a complaint of some verbal inaccuracies in the copy of his opinion, from which our report of this case was taken. We therefore subjoin the passages as corrected by him.—EDS. AM. LAW REG.

“If Congress had the power to enact this statute, it can adopt such measures as may be necessary to carry it into effect. It is probable that, in order to carry its provisions into effect, it will be necessary not only to defeat and disperse the Southern armies in the field, but to subjugate the people of the Southern States, and hold them in a condition of permanent subjection to the government of a nominal Union, to be controlled by the people of the other States, unless they also should lose their liberties in an effort to subjugate others. It seems certain that the framers of the Constitution did not mean to clothe Congress with the power thus to destroy the Government.” P. 483.

“We are satisfied that if the statements of this answer are true, those principles of the common law which suspend an alien enemy’s right of action during war, apply to this case, and forbid our courts from aiding the appellee to recover money which might be used to support the war against the United States.” P. 488.