

DEBTOR AND CREDITOR.—*Continued.*

- case thenceforth considered and treated as a creditor's suit. *Fenwick v. Laughlin*, 447.
34. An assignment or bequest of a debt carries with it all the securities. *Iglehart v. Armiger*, 488.
35. A conveyance, shewn to be fraudulent, declared to be void as against creditors. *Duwall v. Waters*, 534.
- See LIEN, 1.
PARTITION, 1.
PARTNERSHIP, 2.

DECREE.

1. There can be no final decree until all the defendants have answered, or the case is in a situation to have the bill taken *pro confesso*, against those defendants who have not answered. *Hoye v. Penn*, 23.
2. Where a party admitted, that he had obtained a decree by default for more than was due; and did not allege, that he had since lost any of his testimony: and it appeared that the defendant had negligently omitted during a space of about five months to put in his answer; but averred by bill on oath, that he had a good and available defence on the merits; the decree was set aside, and the defendant let in to answer on payment of costs. *Burch v. Scott*, 103.
3. All orders and decrees in Chancery may be altered, revised, or revoked during the term at which they have been passed, on motion or petition; but after the term, the party can only obtain relief by original bill or bill of review. *Ib.*
4. Relief against a decree obtained by fraud can only be obtained by original bill, not by a mere bill of review. *Ib.*
5. A decretal order, in England, is most commonly that which is drawn up as the substance of, and as preparatory to a final decree; and it may in some respects be enforced as a final decree. Here no such decretal order is ever made. *Ib.*
6. A bill of review lies after the decree is signed and enrolled, and it is considered as enrolled after it is signed by the Chancellor and filed by the Register. *Ib.*
7. Restrictive orders staying the Court's own decrees treated as injunctions. *Ib.*
8. A bill of review, or the like, does not of itself operate as a suspension of the execution of the decree complained of. *Ib.*
9. There are various kinds of decrees other than those which operate directly in favor of the plaintiff and against the defendant; and when the whole of a complicated case has been brought before the Court, such a decree may be passed as is best suited to its peculiar nature. *Colegate D. Owings' Case*, 345.
10. If the conveyance of an estate be necessary, and the party required to make it be incompetent to contract, a trustee may be appointed to execute the conveyance in his name. *Ib.*
11. Where a decree has been passed affecting both real and personal estate, and the case abates by the death of either party, for the purpose of having the decree entirely executed, it must be revived by or against the heir, as well as the personal representative of the deceased; but it may be partially revived by or against either of them. *Ib.*