

posed by this answer. It is possible a different view might have been taken of the subject in a court of equity, if, during the life of Mr. Bowie, the defendant had put himself in a condition to demand a conveyance of the title, by paying all the purchase money he had contracted to pay.

I am not sure, however, that the value of the thing out of which the dower is claimed, should not be diminished by the amount of the sums paid by the defendant to Mr. Bowie, in his lifetime, and by him applied to the payment of the land; and as the case has not been argued on the part of the defendant, that point will not now be decided; but the case sent to the Auditor, to report such accounts as will enable the court to determine the question hereafter.

[This order was not appealed from.]

JULIUS PETER PFELTZ }
 vs. } JULY TERM, 1849.
 ANN MARIA PFELTZ ET AL. }

[CHANCERY PRACTICE—VACATING ENROLLED DECREE—BILL OF REVIEW.]

A DECREE is considered as enrolled, when signed by the Chancellor, filed by the Register, and the term elapsed at which it was made; and such decree cannot be reheard upon petition.

Every decree stands, and must be allowed to stand, for what it purports to be on its face, until it has been revised, or reversed, in a proper and solemn manner.

A decree passed for the sale of property, for the purpose of partition among the parties to the cause. After enrollment of this decree, a petition was filed by one of the parties, setting up an exclusive right to the whole proceeds of sale. **HELD—**

That as the decree contained no reservation of equities, or for further directions, it was of course final upon the rights of the parties, and that this court upon such petition, had no more power to change the rights thus settled, than it would have to open the enrollment, and vacate the decree.

When a decree is obtained and enrolled, though on a bill taken *pro confesso*, it cannot be reheard on petition, and the remedy of the party grieved, is by a bill to set aside the decree for fraud, or a bill of review, which only lies against those who were parties to the original bill.