

PRACTICE IN CHANCERY.—*Continued.*

amount found to be due by the former. Upon a bill by complainant attacking this settlement, it was decided, that it was not fraudulent in fact, and was allowed to stand; but leave was granted to surcharge and falsify the accounts upon which it was based, and they were accordingly corrected, and the amount due greatly reduced. *HELD—*

That the complainant has the right to demand the whole amount of stock transferred by him, upon his paying the amount really ascertained to be due from him, such transfer to stand merely as security for the sum actually due. *Ib.*

67. Where a term intervenes after the passage of an order, it is considered as enrolled, and cannot be reheard upon petition; the only remedy in such cases, is by bill of review for error appearing on its face, or new matter discovered since. *Notley Young's Estate*, 461.
68. The averment that his vendor was, at the time of the execution of the conveyance, seized, or pretended to be seized, and was in possession of the premises conveyed, is indispensably necessary to a plea by a defendant that he is a *bona fide* purchaser without notice. *Binggold vs. Bryan*, 488.
69. An answer responsive to the bill cannot be overruled, unless contradicted by the testimony of two witnesses, or of one sustained by pregnant circumstances; circumstances standing alone will not destroy the answer.
70. A conveyance defectively executed, may be set up as a valid contract in equity, and a confirmatory deed will give it validity. *Ib.*

*Ing vs. Brown & Brannan*, 521.

See CREDITOR'S BILL, 2, 3.

SET-OFF.

CHARGES UPON LANDS DEVISED.

PART PERFORMANCE.

MULTIFARIOUSNESS.

APPEAL.

COMMISSIONS TO TRUSTEES.

SALES BY TRUSTEES.

JURISDICTION.

MORTGAGE, &c., 2.

GUARDIAN AND WARD, 6, 7.

IMPROVEMENTS, &c., 1, 2.

LUNATIC, LUNACY.

RECEIVERS.

INJUNCTION.

RULE FOR ASCERTAINING PRESENT VALUE OF LIFE ESTATE.

MERGER, 5.

PARTITION.

EVIDENCE, 2.

INSOLVENT DEBTOR, 2. TRUSTS, 3, 4.

PRINCIPAL AND SURETY.

See SUBSTITUTION, RIGHT OF, 1 to 5.

PROOF OF CLAIMS.

See PRACTICE IN CHANCERY, 34, 35.

PURCHASE.

See REMAINDERMEN.