

the pleadings, &c.; after which a fair copy is made upon parchment, and signed by the Chancellor. It is then, and not until then, an enrolled and final decree. The interval of time suffered to elapse, between the making of the decretal order, and the enrolment, is seldom less than a month, often more, and in some cases exceeds a whole year. But in this interval the decretal order is so far considered as a final decree, that it may be enforced by attachment. *Gilb. For. Rom.* 162; 1 *Harr. Pr. Chan.* 77, 620; 2 *Harr. Pr. Chan.* 174; 2 *Mad. Chan.* 464; 2 *Fow. Ex. Pra.* 164.

The Court of Appeals have declared, that "the decree of the Chancellor is subject to his control, only upon a bill of review, or a bill in the nature of a bill of review. A bill of review lies after the decree is signed and enrolled. A bill in the nature of a bill of review lies after the decree is made, but before enrolment. A decree must be considered as enrolled, after it is signed by the Chancellor, and filed by the register." *Hollingsworth v. McDonald*, 2 *H. & J.* 237; *Beams' Ord.* 1; *Digges' Lessee v. Beale*, 1 *H. & McH.* 71. But the Chancellor rarely, if ever, pronounces his decree orally, as in England, or if he does do so in any case, no minutes of it are taken down. He is considered as having pronounced no judgment; nor as having made any decision in the cause, until a decree is drawn up in writing, in full and proper form, and signed by him. That decretal order, which, in England, always precedes the enrolled or final decree, is never made here, and is unknown to our practice. But in England the phrase "decretal order," is often applied to various other orders besides that which immediately precedes the decree; and it is sometimes applied in the same sense here.

The plaintiffs have styled this bill, "their supplemental bill, in the nature of a bill of review." 1 *Mont. Dig.* 318. But one of them was the defendant, and the others were no parties to the original bill, upon which the decree complained of, had been passed; and it is attached, as an addition, to no other bill; nor does it purport to supply the *defects of any original bill. It is, **122** therefore, in no sense, properly and alone, a supplemental bill. 1 *Mont. Dig.* 315; 2 *Mad. Chan.* 519; 1 *Fow. Ex. Pra.* 61.

In England, a bill of review can only come in after the decree has been perfected and enrolled. But if the party discover any error, or new matter of fact after the decree has been pronounced, and before it has been enrolled, he may obtain relief by a bill in the nature of a bill of review; and need not wait, or go to the expense of having the decree enrolled. Now, from what the Court of Appeals have said, as we have seen, it clearly follows, that, in this State, there can be no such thing as a bill, in the nature of a bill of review; since all decrees here are made by being signed and filed; and when so made, are to be considered as decrees