

ASSIGNMENT, ASSIGNOR AND ASSIGNEE—*Continued.*

further payments, not mentioned in the statement, he claimed a credit therefor. **Held**—

That the assignment to the defendant being made *prior* to the receipt by him of the statement, from the defendant, and he not being induced to make the purchase, by such statement, or lulled into false security by it, there could be no sufficient ground for denying to the defendant the benefit of the receipts. *Hall vs. Purnell*, 137.

8. If an innocent party is induced by the obligor to become the purchaser of a bond, against which there are equities, it is a deceit upon him; and he ought not to be subject to the same equity to which the obligor was entitled against the obligee. *Ib.*

ASSUMPSIT.

It is a settled rule, even in the case of deeds, that if there be a condition precedent, and it is not performed, and the parties proceed with the performance of other parts of the contracts, although the deed cannot take effect, the law will raise an implied assumpsit, upon which an action of assumpsit can be maintained. *Ridgeway vs. Toram*, 303.

ATTORNEY.

1. Where the appearance of an attorney is entered on the record, it is considered as done by the authority of the party, and whatever is done in the progress of the cause, is regarded as done by, and binding on the party himself—the fidelity of the attorney in the discharge of his trust being a question between him and the party for whom he undertakes to act. *Bethel Church vs. Carmack*, 143.
2. Whatever is done by the attorney in the progress of the cause, is considered as done by the authority of the client, and is binding on him. *Thornburg vs. Macauley*, 425.

See PRIVILEGED COMMUNICATIONS.

AUDITOR.

See PRACTICE IN CHANCERY, 40.

BILLS OF REVIEW.

See REHEARING, 1, 4.

BOND.

See ASSIGNMENT, &c., 8.

APPEAL BOND.

BONDS GIVEN BY HEIR ENTITLED TO ELECT.

See LIMITATIONS, 7, 8, 9.

CANCELLING OF BOND.

See EVIDENCE, 7.

CAVEAT.

See LAND OFFICE.

CERTAINTY.

See DESCRIPTION OF LAND, 1.

CHARGE UPON LAND.

See WILL AND TESTAMENT, 2, 3.

CHOSSES IN ACTION.

See ASSIGNMENT, &c., 3.