

convey unto the plaintiff, *John Hoffman*, his heirs and assigns, in fee simple, all those several tracts of land in the proceedings mentioned, called "Fout's Delight," and "The Resurvey on Beauty," and all their interest in that other parcel of land included by a warrant of resurvey on those tracts under the name of "The Reunion." And it is further decreed, that *Henry Hoffman* is hereby constituted and appointed trustee, under the last will and testament of the late *James Hunter*; and that he, by a good and sufficient deed, executed and acknowledged according to law, convey unto the complainant, *John Hoffman*, all the legal title of, in and to the said tracts of land. And it is further decreed, that the defendants pay unto the complainants their costs, to be taxed by the register.

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BURCH v. SCOTT.

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.

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.

Relief against a decree obtained by fraud can only be obtained by *original bill*, not by a mere bill of review.

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.

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.

Restrictive orders staying the court's own decrees treated as injunctions.

A bill of review, or the like, does not of itself operate as a suspension of the execution of the decree complained of.

It is stated in the bill, which was filed on the 14th of July, 1823, that in the year 1803 *Jesse Burch* died intestate, and that administration on his personal estate was granted by the Orphans Court of Washington county, in the District of Columbia, to his widow, *Jane Burch*, who took possession of his personal estate accordingly: among which personalty were three negro slaves, as mentioned in the inventory returned by her; that since the death of the intestate, *Jesse*, those negroes had several children; that