

REMOVED CASES.

Cases brought here from a county court must be followed out as if they had originated here, without revising or reversing any previous order or decree, except in the regular way.—Strike's case, 67.

RENTS AND PROFITS.

An occupying tenant is liable for rents and profits whether he knows of the adverse title or not.—Strike's case, 71.

May be recovered in equity where there is any difficulty at law, or where the title is merely equitable; after the title has been established by the decree, rents and profits may be a subject of further directions, 72.

The account in some cases is carried back only to the filing of the bill, in others to the commencement of the title, 73.

A mortgagee or rightful holder is chargeable only with actual receipts; but a wrongful holder is accountable for the full value or what might have been made, 73.

A claim by a *bona fide* possessor for improvements may be discounted from that made against him for rents and profits or for waste, 79; *Rawlings v. Carroll*, 76.

RESURVEY.

The right to take in contiguous vacancy, by a warrant of resurvey from the land office is incident to the legal title only, *Hoffman v. Johnson*, 110.

REVIEW.

There can be no bill here in the nature of a bill of review as understood in England.—*Burch v. Scott*, 122.

A bill of review, its nature, either for error apparent or newly discovered matter, 122.

The filing of a bill of review or of an original bill to set aside a decree does not of itself suspend the execution of a decree, 125.

A bill of review for newly discovered matter filed without leave may be dismissed on motion.—*Carroll v. Parran*, 125.

The allegation of the fact, that the matter is newly discovered on which an application is made to file a bill of review should be then controverted and finally determined so as not to be drawn in question after the bill has been filed.—*Hodges v. Mullikin*, 506.

If the discovery of the new matter was made so long before the decree as to have admitted of an application to have it brought in, a bill of review will not be allowed, 511.

The party must have used reasonably active diligence in searching for and bringing in his proofs, or a bill of review will not be allowed, 511.

Although a bill of review may be refused to a party because of his own demerits, yet it may be granted with a view to the protection of the interests of others, 513.

REVIVOR.

Rules to be observed on the application of the representative of the deceased party to be let in under the act of 1820, ch. 161, to revive on an abatement by death.—*Labes v. Monker*, 130.

The mode of reviving given by the act of 1820, ch. 161, applies only to cases of abatement by death, not to abatement by the marriage of a female plaintiff.—*Hall v. Hall*, 132.

That new mode is confined to cases where a proper bill of revivor will lie except as to a devisee, 132.

The act of 1820, ch. 161, does not apply where a *subpoena scire facias* is the proper mode, 133; *Allen v. Burke*, 545.

Where a suit has abated by death, to be so entered and not brought forward on the docket, 132, note.

If the suit abates after a decree affecting both real and personal property, it may be revived by the heirs or personal representatives or by either.—*Colegate D. Owings' case*, 409.

There may be a revival for costs, 409.

After a decree to account either party may revive.—*Griffith v. Bronaugh*, 548.

ROADS.

A mill race not a building within the meaning of an act of Assembly for opening a new road.—*Worthington v. Bicknell*, 187.

SALES UNDER A DECREE.

Where it appears that the person reported as the purchaser had no design to baffle the court, he may be discharged on payment of costs.—*Deaver v. Reynolds*, 50.

Where the property of a debtor has been sold for an amount equal to the whole claim the debtor is discharged, notwithstanding any subsequent depreciation or failure in collecting the proceeds of sale. *Hoye v. Penn*, 64.

The trustee may be directed to convey to the assignee of the purchaser on the payment of the purchase money, 36, 39.

Under a decree for a sale, in a creditors suit, the then growing crop should not be sold.—*Taylor v. Colegate*, 365.

On a sale under a decree the court is the vendor, and as such the holder of the equitable lien.—*Iglehart v. Armiger*, 527.

If the purchase money be not paid the court upon its equitable lien may order a resale at the risk of the purchaser.—*Mullikin v. Mullikin*, 541.

SOLICITORS.

Money may be paid out of court to a solicitor of the party entitled to it.—*Hoye v. Penn*, 40 note.

A commission allowed to solicitors according to an admitted special agreement.—*Strike's case*, 63, 95.

A contract between a solicitor and suitor for professional services cannot be in-