

that the plaintiff had gone into possession, not saying when, and not saying that any of the parties through whom he derived title had been in possession: the bill alleged that the defendant pretended to be able to establish title to the land by possession as the assignee of one *E K*; and that *E K* was for a short period (not saying how long) in possession; the bill charged that the conveyance to the defendant was a cloud on the plaintiff's title, and prayed the usual relief; the bill was taken *pro confesso*: but *held*, that its allegations were insufficient to entitle the plaintiff to a decree,

Carson v. Crysler, 499.

See also "Patent, repealing."

"Specific Performance," 1.

PRACTICE.

1. There is no rule that a petition of review, on the ground of the discovery of new evidence, will not lie when the new evidence is of conversations and admissions.

Brouse v. Stayner, 1.

2. Where, after a defendant's lands were seized under a writ of sequestration, the defendant died intestate, it was *held* that his widow was not a proper party to the order to revive.

Harris v. Meyers, 117.

3. A motion to discharge an order to revive cannot, without leave of the Court, be made after fourteen days from the service of the order; and mere service of notice within the fourteen days is not a sufficient compliance with the General Order 329.—*Ib.*

4. The notice of motion in such a case need not set forth the previous proceedings.—*Ib.*

5. In a suit against an Insurance Company on a policy, the bill alleged that the policy had been destroyed:

Held, that an affidavit of the fact must be annexed to the bill.

Workman v. The Royal Insurance Co., 185.

6. Under a general administration decree, the Master may, without any special direction, take evidence as to payments by executors for the maintenance and education of infants, out of their shares of capital, and report the facts.

Stewart v. Fletcher, 235.