

CONSTRUCTION OF ACTS AND STATUTES.—Continued.

13. A mortgage was executed to a manufacturing company, and the affidavit required by the 1st section of the Act of 1847, ch. 271, was made by the agent and treasurer of the Company. HELD—
That this was a sufficient compliance with the provisions of that Act. *McKim & Kennedy vs. Mason*, 186.
14. A woman died intestate, leaving an illegitimate son and other children born in lawful wedlock. HELD—
That by the Act of 1825, ch. 156, the illegitimate son was entitled to share equally with the other children in the mother's estate. *Earle & McNier vs. Dawes*, 230.
15. The evident intention of the 7th section of the Act of 1829, ch. 216, which makes releases, executed by a female ward of the age of eighteen to her guardian, as valid as if she was of full age, was that the release should be a release executed to him who had been guardian, but whose office had ceased by the arrival of the female to the age of eighteen. *McClellan vs. Kennedy*, 234.
16. It is not necessary that the party who applies to this Court to order a demise under the 5th section of the Act of 1831, ch. 311, should be the tenant in possession: the tenant of any particular estate, of full age, whether in possession or not, may apply under that section. *Hitch vs. Davis*, 262.
17. The Act of 1763, ch. 23, only confers the right to make the assignment authorised by it, upon the original creditor, and not upon the assignee of such creditor. *Neptune Ins. Co. vs. Dorsey*, 334.
18. The Act of 1831, ch. 205, sec. 3, authorizing bonds of conveyances to be recorded, does not, nor was it intended to, touch conveyances of the title, either legal or equitable; its object and effect is simply to authorize the registration of contracts to convey, and not conveyances. *The U. S. Ins. Co. vs. Shiver, et al.*, 381.
19. When a creditor proceeds under the 9th section of the Act of 1842, ch. 293, to reach the property of a married woman, he must show that she earned it by her skill, industry, or personal labor, and must prove his claim according to the course of the attachment law, proceeding by way of attachment from the County Court. *Crane vs. Seymour*, 483.
20. The questions of fact and of law which may arise under this act, and the proceedings it authorizes, are intended and peculiarly fitted for decision by Courts of law aided by juries. *Ib.*
21. A peculiar and special mode of proceeding, to be pursued by creditors who attempt to reach the property of married women under this Act, is prescribed by the Act itself, and to this mode creditors are restricted. *Ib.*
22. The proviso to the 2d section of the Act of 1825, ch. 203, that the grantee shall not have the benefit of the recording of a conveyance which, by any other instrument or writing, appears to have been intended only as a mortgage, unless such other instrument be also recorded therewith, does not apply to the case of a deed absolute upon its face, and where no other instrument was executed, though it was intended merely as a security for money loaned. *Ing vs. Brown & Brannan*, 521.

See MECHANIC'S LIEN, 2, 4, 5, 6.

HUSBAND AND WIFE, 6.

APPEAL, 3.