

AUCTIONEERS.

See PRECEDING NOTE.

AUDITA QUERELA.

The assignment of a judgment by a creditor to a surety satisfying the same, not to debar the defendant of his remedy by audita querela, or other equitable course on proceeding—1763, ch. 23, sec. 8. . . 107

AUDITOR.

The house of delegates may appoint auditors to state and adjust the accounts of the state—Const. art. 10.

The auditor of public accounts shall take an oath, that he will not, directly or indirectly, receive any fee or reward for doing his office, but what is or shall be allowed by law, nor will, directly or indirectly, receive the profits, or any part of the profits, of any office held by any other person, and that he does not hold the same office in trust, or for the benefit of any other person—Const. art. 52.

Punishment for his so receiving the profits of any office held by any other person—Const. art. 53.

The owners and insurers of goods saved by the wreck-master in Worcester county, on proof of their property to the satisfaction of the auditor, shall, on his warrant receive from the treasurer the money therein before directed to be deposited with him—1799, ch. 82, sec. 2, 423

A copy of any of the books, papers, entries or proceedings, of the office of the auditor of the state, attested and sworn to be a true copy by the auditor, shall be received in evidence in any court, &c. as if the original books, &c. were produced—1798, ch. 108, 416

The chancellor to appoint, (during pleasure,) an auditor for the chancery court, who shall take an oath for the faithful performance of his office—1785, ch. 72, sec. 17, 217

His duty prescribed in auditing and stating accounts—1785, ch. 72, sec. 17, 217

His allowance, and the manner of compelling payment—1785, ch. 72, sec. 17, 217

In actions grounded on accounts, or in which it may be necessary to examine them between the parties, the court may order such accounts and dealings to be audited and stated by an auditor or auditors to be appointed, and the proceedings shall be as in actions of account—1785, ch. 80, sec. 12, 234

To be appointed by the county court in the exercise of equity jurisdiction—1814, ch. 94, sec. 4, 628

Their oath, powers and allowance, to be taxed in the bill of cost—1814, ch. 94, sec. 4, 628

Notice to be given by him, and how published—1826, ch. 178, 880

See *Notice*.