

PROCESS.—*Continued.*

Court of Chancery any where within the State. *Cape Sable Company's Case*, 587.

REGISTER OF WILLS.

1. The original copy of a will of real or personal estate when proved and lodged with the register of wills cannot be taken from his possession, except under special circumstances. *Randall v. Hodges*, 468.
2. The documents and vouchers upon which an account has been passed by the Orphans' Court form no part of its records; and therefore, if they have been lodged with the register of wills he may be compelled, by a *subpœna duces tecum*, to produce them. *Ib.*

REHEARING.

1. On an application for a rehearing, it is not enough to shew that injustice has been done, but that it has been done under circumstances which authorize the Court to interfere. *Walsh v. Smyth*, 1.
 2. The prayer of the petition for a rehearing can be no farther regarded than as it may injuriously affect the interests of the petitioner. *Ib.*
- See DEBTOR AND CREDITOR, 15.

RIGHT OF WAY.

1. Where a canal and its towing paths are directed to be kept in repair for the use of the public, they must be considered as highways; and the Acts of Assembly in relation thereto as public laws of which the Court must take notice. *Bosley v. Susquehanna Canal*, 49.
2. A fee simple as encumbered with a right of way. *Ib.*
3. Nothing can be deemed a breach of an injunction forbidding the disturbance of a peculiar right of way which does not interfere with its free exercise. *Ib.*

SALE.

1. Where the widow herself is the petitioner her separate assent to a sale is not required. *Williams' Case*, 200.
2. The credit given on the sale of an infant's real estate considered as an investment for his benefit. *Ib.*
3. A bid may be reserved, or a bye-bidder allowed in certain cases. *Ib.*
4. An estate ordered to be sold is under the protection of the Court, and may be rented until a sale can be effected. *Ib.*
5. In a creditor's suit the purchaser may be directed to pay a creditor out of the unpaid purchase money. *Coombs v. Jordan*, 292.
6. The administrator of a deceased trustee ordered to bring into Court the bonds given by the purchaser, with the purchase money which had been collected, and also to account. *Ib.*
7. The administrator and heir of a deceased purchaser ordered to pay the purchase money. *Ib.*
8. The estate ordered to be re-sold to pay the balance of the purchase money. *Ib.*
9. A purchaser under a decree is not bound to see to the application of the purchase money. *Ib.*

See DEBTOR AND CREDITOR, 14, 27, 28, 29, 31.

SHERIFF.

1. The sheriffs, for the time being, of the several counties, are the executive officers of this Court; and as such amenable to it. *Deale v. Estep*, 428.