

ADMINISTRATORS.

But the administrator shall go on to discharge his trust, unless the administration is revoked. *Ibid.*

Administrators may appoint a meeting of creditors, legatees, &c. on a day to be appointed by the court, and make distribution under their direction. *Ibid.* § 12.

Directions respecting the preference to residuary legatees in granting administration with a copy of the will annexed. *Ibid.* ch. 5, § 24.

Power of the orphan's court respecting administrators. *Ibid.* ch. 15.

Administrators to appear to actions brought to recover personal chattels, debt or damages, that would before have abated by the death of a party. 1785, ch. 80, § 1.

Directions for compelling them to appear, and for their proceedings. *Ibid.*

The sum found due against them by the jury, shall be considered in law as the true debt, and so pleaded by and allowed to them. *Ibid.* § 13.

The plea of *non est factum* may be put in by administrators by leave of the court, on shewing just cause. *Ibid.* § 3.

On administrators applying for a writ of error or injunction, the chancellor may prescribe the penalty of the bond. 1793, ch. 75, § 2.

When injunctions are so obtained, the chancellor may decree against them as equity and good conscience require. *Ibid.* § 3.

Directions respecting their bringing slaves into the state. 1797, ch. 15.

For the regulations respecting administrators, (when not inconsistent with the act of 1798, No. 101.) See ADMINISTRATION, last article.

ADMINISTRATRIX.

All rules relative to an administrator to apply equally to an administratrix, unless otherwise expressly provided for. 1798, No. 101, ch. 14, § 10.

An administratrix must be above the age of eighteen. *Ibid.* ch. 5, § 1.

If above that age, unmarried, and under the age of twenty-one, her bond shall be binding as if of full age. *Ibid.* ch. 4, § 8, ch. 5, § 7.

AD QUOD DAMNUM.

Persons who had taken out such writs under the act of 1704, ch. 16, to have the same benefit under them as if the said act was not repealed. November, 1756, ch. 10.

Writs of *ad quod damnum* to issue to condemn land for iron-works. 1719, ch. 15.

ADULTERY.

Persons convicted of adultery to be fined £. 31. or 1200 lbs. of tobacco. 1715, ch. 27, § 3.

The non-appearance of persons, according to notice, as prescribed by the above act, to be taken as a confession of their guilt. 1749, ch. 12, § 5.

ADVANCEMENT.

Advancement to a child, or descendant of an intestate, by settlement or portion, shall be reckoned in the distribution of the surplus. 1798, No. 101, ch. 11, § 6.

Maintenance or education, or money given without a view to such settlement or portion, shall not be deemed an advancement. *Ibid.*

The widow shall have no advantage by bringing such advancement into reckoning. *Ibid.*

ADVANCEMENT.

Children of an estate, or their issue, having received any real estate by way of advancement, may elect to come into partition with the other parteners, on bringing such advancement into hotchpot, with the estate descended. 1786, ch. 45, § 5.

But they shall not be entitled to claim a share by descent without bringing such advancement into the common stock or hotchpot, if there be another child or children unprovided for. *Ibid.*

ADVANCEMENT OF JUSTICE.

See ASSIGNMENT. AUDITA QUERELA. BILLS of EXCHANGE. BONDS. EQUITY JURISDICTION. JUDGMENT. PERJURY. SPEEDY RECOVERY.

ADVERTISEMENT.

Directions for giving notice by advertisement in cases in the chancery court. 1785, ch. 72, § 31, April, 1787, ch. 30, 1789, ch. 46, 1791, ch. 79, November, 1792, ch. 41, 1794, ch. 60, 1795, ch. 83, 1797, ch. 114, 1798, ch. 38, 1799, ch. 79.

For procuring a commission to mark and bound lands. 1786, ch. 33.

For bringing in claims to executors or administrators. 1798, No. 101, ch. 8, § 13, 16.

AFFIDAVIT.

Affidavit required for obtaining a commission to take evidence. November, 1773, ch. 7, § 7.

For the continuance of causes. November, 1787, ch. 9, § 2.

For holding to bail in actions of trover and detinue. 1753, ch. 17, § 2.

For holding to bail in suits under the inspection law. 1789, ch. 26, § 37.

To ground a warrant from a justice of the peace, to a county clerk, to issue replevin for property taken for taxes. 1790, ch. 53, § 2.

To continue such replevin beyond the first court. *Ibid.* § 8.

For the appointment of an elisor. 1794, ch. 54, § 5.

On motion to bring copies of books into the county courts. 1796, ch. 43, § 7.

How to be made of the service of copies of decrees in chancery, or leaving them at the defendant's dwelling, in order to obtain execution, attachment, &c. thereon. 1785, ch. 72, § 27.

To be made of waste after injunction granted, in order to ground an attachment. *Ibid.* § 30.

To be made, that a garnishee is about to remove, in order to obtain a clause of *capias ad respondendum* in an attachment against him. 1795, ch. 56, § 6.

AFFINITY.

The degrees of affinity prescribed, within which it is lawful to marry. February, 1777, ch. 12, 1785, ch. 35, 1790, ch. 20.

AFFIRMATION.

The people called Quakers, those called Tunkers, and those called Menonists, holding it unlawful to take an oath on any occasion, ought to be allowed to make their solemn affirmation in the manner that quakers have been heretofore allowed to affirm, and to be of the same avail as an oath; and further, on such affirmation, warrants to search for stolen goods, or the apprehension or commitment of offenders, ought to be granted, or security for the peace awarded; and quakers, tunkers or menonists, ought also, on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases. Decl. 36, 1797, ch. 118, confirmed by 1798, ch. 83.

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