

ORPHANS COURTS.

the courts may appoint, the said repository to be provided and kept in repair at the county's charge. *Ibid.*

The orphans court in each county shall keep a seal for the said court, and for the office of register of wills. *Ibid.* § 12.

— Such courts as have not seals, to provide them, and the said seals to be affixed to all certificates, process, &c. *Ibid.*

The orphans courts empowered to examine, hear and decree upon, all accounts, claims and demands, between wards and their guardians, and between legatees, or persons entitled to a distributive part of an intestate's estate, and executors and administrators. *Ibid.*

— They may enforce obedience to, and execution of, their decrees, in the same ample manner as the court of chancery may. *Ibid.*

— They may, on application as therein mentioned, remove guardians and appoint others. *Ibid.*

— They shall in all cases have power to summon any person concerned in the affairs of a deceased person, or any witness or other person whose appearance in the said court shall be deemed necessary, and to make the summons returnable at their discretion. *Ibid.* § 13.

— They may attach persons summoned and not attending, and fine them not exceeding 30 dollars. *Ibid.*

— They may commit witnesses refusing to give evidence, or may attach and sequester the party's estate, or a part thereof, as thereafter directed. *Ibid.*

Sheriffs and coroners to serve and return process from the orphans courts, and on failure to be proceeded against by attachment and fine. *Ibid.* § 14.

The orphans courts empowered to sequester property to compel the attendance of parties. *Ibid.* § 15.

On the desire of either of the parties, the orphans courts may direct a plenary proceeding by bill or petition to be answered on oath, (or affirmation,) or on failure to answer, the party to be attached, &c. *Ibid.* § 16.

— Manner of trial and giving judgment on such plenary proceeding. *Ibid.* § 17.

— In all cases of contest, the orphans courts may award costs to the party in their opinion entitled thereto, and may compel payment by attachment and fine, or sequestration. *Ibid.*

Manner of appealing from the judgments, &c. of the orphans courts, and of proceeding by the said courts after the decision of the appellate courts. *Ibid.* § 18.

— An appeal from the orphans courts shall not stay any proceedings therein which may with propriety be carried on before the appeal is decided, provided the said orphans court can provide for conforming to the decision of the court above, whether the said decision may eventually be for or against the appellant. *Ibid.* § 19.

The orphans courts shall not, under pretext of incidental power or constructive authority, exercise any jurisdiction whatever not expressly given by this act, or some other law, but every judgment, decree, decision or order, of the said court, may be enforced by attachment and sequestration as aforesaid, and if the said judgment, decree, decision or order, be for paying money, the property sequestered may, at the discretion of the court, be applied to the purpose for which such judgment, decree, decision or order, was given. *Ibid.* § 20.

Manner in which the probat of wills or codicils may be taken by the orphans courts. *Ibid.* ch. 2, § 7 to 13.

Directions for recording wills, and the authentication thereof, and granting letters testamentary, or of administration if the executors do not appear. *Ibid.* ch. 3, § 2 to 6.

Manner of proceeding on the renunciation of an executor being filed or transmitted to the orphans court. *Ibid.* § 7.

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Directions to the orphans courts to issue letters *ad colligendum*. *Ibid.* § 14.

— On refusal of a collector to redeliver the property, he may be attached and fined by the court. *Ibid.* § 20.

A transcript of a record of conviction of any crime shall be evidence in the orphans court to prove a party, (named as an executor,) infamous. *Ibid.* ch. 4, § 3.

— On a question of lunacy, &c. of a person named an executor, a writ *de lunatico inquirendo* may issue by the chancery or orphans court. *Ibid.* § 5.

— A certificate of the proceedings from the register in chancery shall be evidence in the orphans courts. *Ibid.*

In what cases letters of administration shall be granted by the orphans courts. *Ibid.* ch. 5, § 2.

— Power of the orphans courts to examine the person applying, on oath or affirmation, as to the time, place and manner of the death. *Ibid.* § 3.

— Where letters testamentary are granted, and the former administration revoked, the administrators to exhibit their accounts to the orphans courts without delay, or their bonds to be sued. *Ibid.* § 5.

Directions for the return of inventories, unless further time is given by the orphans courts. *Ibid.* ch. 6, § 6.

— On attachments for not making such returns, the court may fine the party not exceeding 30 dollars. *Ibid.*

Appraisers may be appointed by any judge of the orphans court to appraise property coming into possession and not mentioned in a former inventory. *Ibid.* § 10.

If an executor or administrator should not determine to finish the crop, the person entitled to the land, or his guardian, may take the crop at an appraisement, paying ready money, or giving bond, with security approved by the orphans court, or (if not in session,) by the register of wills. *Ibid.* § 12.

— The executor or administrator may sell the crop for ready money or credit as aforesaid, but not for less than the appraisement without the approbation of the orphans court, or an order prescribing the terms. *Ibid.*

Power of the orphans courts to revoke the letters of executors or administrators on the inventories not being returned as therein directed. *Ibid.* § 13.

Accounts of the administration, when to be returned to the orphans courts. *Ibid.* ch. 8, § 1.

Power of the orphans courts to make allowance to collectors, executors or administrators, for property lost, &c. *Ibid.* § 2.

— To direct a sale for the payment of debts and claims against the estate. *Ibid.* § 3, 4.

The courts of law shall not proceed to assess the sum to be paid by executors or administrators till the time limited by law, or by the orphans courts, for the passing their accounts, is expired. *Ibid.* § 9.

— The account settled by the orphans court, in which the debt or damages sued for ought to be stated, shall be evidence to shew the amount of assets and claims. *Ibid.*

Executors or administrators may retain, to meet suits for more than they think due, such sum as the orphans court shall allow. *Ibid.* § 11.

The orphans court empowered, with the consent of both parties, to be entered on their proceedings, to arbitrate between a claimant and an executor or administrator, or the dispute may by the parties be referred to any person or persons approved by the orphans court. *Ibid.* § 12.

Advertisements giving notice to claimants to be inserted in so many news-papers as the orphans court may direct. *Ibid.* § 13.

In no case shall an executor or administrator be allowed to retain for his own claim against the deceased, unless the same be passed by the orphans court. *Ibid.* § 19.