

ARTICLE XVI.

Chancery.

AUDITOR.

18. Appointment and duties of auditor when and how special auditor appointed.

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58. When lands or persons partly in one county and partly in another: proviso duty of clerk.

60. When lands of decedent are partly in one county and partly in another.

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138. Trustee under will or deed may be required to give bond how sales ratified.

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AUDITOR.

1870, c. 74 repeals and re-enacts section 18 as follows:

SEC. 18. Every judge of a court of equity may appoint, during his pleasure, a person of integrity, judgment and skill in accounts, to be auditor for the court of which he is judge, who shall, before he enters upon the duties of his appointment, take an oath, to be administered by the judge making the appointment, well and faithfully to execute the duties of his office, without favor, affection, partiality or prejudice, and all accounts to be stated, audited, or settled by such court, shall be referred for such purpose to the auditor, who shall have power to administer oaths to all witnesses and persons proper to be examined upon such accounts, and shall audit, state and settle such accounts agreeably to the order of the court, and shall return the same to the court, to be done with as the court should think just, and that in all cases where the regular auditor of any circuit court of this state, may be interested in any cause or connected therewith as counsel, or in case of sickness, or absence of such auditor, or for other cause existing where it may not be proper for such auditor to act, it shall and may be lawful for the said court, or the judges or judge thereof holding the same, to appoint by order a special auditor, to whom reference shall be made instead of the regular auditor, and

1870, c 74
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