

**EXECUTORS AND ADMINISTRATORS—Continued.**

See TRANSFER BY OPERATION OF LAW.

COMMISSIONS, 1.

**EX POST FACTO LAWS.**

See CONSTITUTIONAL LAW, 2, 3.

**EXTINGUISHMENT OF DEBTS.**

1. The taking of acceptances for a pre-existing debt cannot have the effect of extinguishing the debt. *Harness vs. Chesapeake and Ohio Canal Company*, 249.

**FAMILY SETTLEMENT.**

See SURCHARGING AND FALSIFYING ACCOUNTS, 3.

**FOREIGN CREDITORS.**

1. The rights of foreign creditors are not affected by the discharge of an insolvent under the laws of Maryland. *Potter vs. Kerr*, 275.
2. A discharge under the insolvent laws of Maryland cannot affect the rights of foreign creditors to obtain against the insolvent, in the Maryland courts, an absolute and unqualified judgment, and to place their execution upon any property of the insolvent debtor to be found in the hands of the trustee. *Ib.*

**FORFEITURE OF CHARTER.**

1. A cause of forfeiture of a charter of incorporation cannot be taken advantage of, collaterally or incidentally, but must be enforced by *scire facias* or *quo warranto*, at the instance of the government, and until the government so interferes, the franchise continues. *Hamilton vs. Annapolis and Elk Ridge Rail Road Company*, 107.

See CORPORATIONS, 1.

**FRAUD.**

1. A party who attempts to protect himself from the consequences of an engagement into which he has entered upon the plea that he has been imposed upon, must make out the imposition by proof. *Duwall vs. Coale*, 168.
2. Fraud is not to be presumed, and though it may not be necessary to prove it by direct and positive testimony, yet the circumstances upon which the presumption of its existence is to be founded, should lead plainly and directly, and by strong implication, to that conclusion. *Ib.*
3. Deliberate settlements and solemn instruments are not to be impeached and overthrown by light and trivial circumstances, which, at most, furnish a foundation for ingenious minds to speculate upon, and to weave plausible theories of unfairness in the transaction with which they are associated. *Ib.*

See CONVEYANCES, VACATING OF.

EQUITY AND EQUITABLE DEFENCE.

FRAUDULENT CONVEYANCES, 1, 2.

STATUTE OF FRAUDS. JURISDICTION, 15.

**FRAUDULENT CONVEYANCES.**

1. It being proved, that the husband, with a design to deprive his widow of her share of his personal estate, executed the conveyances in question, but did not part with the possession, but lived upon and enjoyed