

DENIZENS.

See JURORS.

DESCENTS.

- Where any person seized of an estate in any lands, tenements or hereditaments lying in this state, in fee simple or in fee simple conditional, heretofore or hereafter acquired, or of an estate in fee tail, generally created after the commencement of this act, shall die intestate, such lands, tenements or hereditaments, shall descend in fee simple to the kindred male and female of such person in the order therein prescribed—1820, ch. 191, sec. 1, 745
- No right of inheritance shall vest in any one except the children of the intestate and their descendants, unless such person is capable of taking at the time of the intestate's death—1820, ch. 191, sec. 2, 746
- No distinction shall take place between the whole and the half blood descendants of the parent from whom the estate descended—1820, ch. 191, sec. 3, 747
- On the death of a father or mother in the descending or collateral line, the children to be considered by representation in the same degree with the parent, and to have the same share of the estate, but no representation to be admitted among collaterals after brothers' and sisters' children—1820, ch. 191, sec. 4, 747
- Children having received any real estate by way of advancement, may elect to come into partition on bringing the same or its value at the time of advancement into hotchpot with the estate descended—1820, ch. 191, sec. 5, 747
- But not to be entitled to any part of the estate without bringing the advancement into hotchpot, if there be another child or children unprovided for—1820, ch. 191, sec. 5, 747
- This act not to effect any entail created before the 1st January, 1788, nor to interfere with or alter any limitation in special tail, or any widow's right of dower—1820, ch. 191, sec. 6, 747
- If any man shall have children by any woman whom he shall afterwards marry, such children, if acknowledged by the man, shall be legitimated—1820, ch. 191, sec. 7, 747
- When the parties entitled, cannot agree upon the division of the intestate's estate, or in case any party entitled be a minor, an application may be made to the county court of the county, who shall issue a commission to five commissioners—1820, ch. 191, sec. 8, 748
- Oath of commissioners—1820, ch. 191, sec. 8, 748
- Commissioners to determine the value of the estate, and whether it will admit of division, and if so, then to make partition thereof into as many parts as it is capable of, and ascertain the value of each part—1820, ch. 191, sec. 8, 748
- If the estate cannot be divided without loss, the commissioners shall make return of their judgment thereon, and of the value of the estate, and if the judgment of the commissioners be confirmed by the county court, then at the next term the eldest person entitled,