

CREDITOR'S BILL.

See LIMITATIONS, 9, 10.

CRUELTY OF TREATMENT.

See DIVORCE, 7, 8, 9, 10, 13.

DECEIT.

See ASSIGNMENT, &c. 8.

DECREE.

See PRACTICE IN CHANCERY, 56.

DEEDS.

See CONSTRUCTION OF. VACATING OF. CONTRACTS. CONSTRUCTION OF, &c.
FRAUDULENT CONVEYANCES. INSOLVENT DEBTOR.

DEED OF SEPARATION.

See DIVORCE, 4, 5, 6.

DELIVERY.

1. To perfect gifts *inter vivos* and *donationes mortis causa*, there must be an actual delivery, according to the manner in which the particular thing, the subject of the gift, is capable of being delivered, and without such delivery, the gift is invalid, both at law and in equity. *Linthicum vs. Linthicum*, 22.

DEMURRER.

1. Though parties have a right to resort to demurrer, this mode of defence is viewed with suspicion and disfavor. *Mewshaw vs. Mewshaw*, 12.

See PRACTICE IN CHANCERY, 6, 8, 10, 11.

DESCENT OF REAL ESTATE.

1. A. died intestate, leaving uncles and aunts, and the children of uncles and aunts. **HELD—**
That under the act of 1820, ch. 131, sec. 4, the uncles and aunts are entitled to the whole real estate, to the exclusion of the children of the deceased uncles and aunts. *Levering vs. Heighe*, 81.
2. Where a party dies intestate, and without issue, leaving an uncle, and the children of uncles and aunts, his next of kin, his whole estate, real and personal, by the act to direct descents of this state, descends to, and becomes the property of, the uncle, to the exclusion of his other relatives. *Ellicott vs. Ellicott*, 468.

DESCRIPTION OF LAND.

1. Bill for a sale of lands held in common by plaintiffs and defendants. Demurrer, on the ground among others, that the *name* of the land to be sold was not stated. The location, quantity of acres, and descent of the land were stated. **HELD—**
That the claim of the plaintiff must be stated with clearness; but if the case is so stated as to apprise the opposite party of the claim, he will not be permitted to object on the ground of uncertainty, though every particular circumstance is not stated. General certainty is sufficient. *Mewshaw vs. Mewshaw*, 12.
2. If a defendant, in a judgment at law, objects to the return by the sheriff, he may appear in the County Court, at the term to which the writs were returnable, and move to quash them, or retain possession of the