

I N D E X.

DECREES: See *Prerogative Court*, 2-4.
 DEDUCTION: See *Tobacco Debts*, 1, 2, 8.
 DEED of Gift. See *Negroes*, 50. *Secret Sales*, 1.
 DEED of Sale shall take Effect from the Day of Enrolment, and not from the Day of Date. See *Conveyances*, 9.

DEER.

1. For Preservation of the Breed of Wild Deer, No Person within this Province, (Friend *Indians* excepted) shall kill any Deer, between the first Day of *January*, and the last Day of *July* in every Year; under the Penalty of 400^{lb} Tobacco for every Deer so killed; to be recovered before a single Magistrate as in Case of small Debts; one Half to the County School, the other to the Informer. 1730, *ch. 17*, §. 2.

2. Persons in whose Custody any Deer's Flesh shall be found, which shall appear to have been killed within the Time before limited, shall be liable to the said Penalty, unless they make appear before a Magistrate, who was the real Killer of the Deer, or from whom they received the same. *Ibid.* §. 3.

3. The Liberty given in this Act to *Indians*, shall extend only to the Killing of Deer, to their private Use, and not for Sale. *Ibid.* §. 4.

4. No Inhabitant within this Province shall purchase any dead Deer, or Part thereof, of any *Indian*, within the Time prohibited by this Act, under the Penalty aforesaid. *Ibid.*

DELEGATES.

1. Writs of Election shall be issued Forty Days at least before the Meeting of the Assembly. (*For the Form of the Writ, see the Act.*) 1716, *ch. 11*, §. 3.

2. The Four Delegates to be elected for each County, shall attend at the Time and Place of Meeting of such Assembly, without any farther Writ or Summons, under Penalty of such Fines as shall be imposed upon them by the Lower House, unless upon sufficient Excuse, to be allowed by the said House. *Ibid.* §. 4.

3. No Ordinary-Keeper, or other Person disabled by the Laws of *England* from sitting in Parliament, shall be elected or serve in the Assembly. *Ibid.* §. 5.

4. Any Sheriff not giving speedy Notice to the Inhabitants of the Time and Place of such Election, as well by Proclamation, as by causing the same to be read in all Churches and other Public Places within his County, as also by Notes, set up at such Places, requiring such Inhabitants (under Penalty of 100^{lb} Tobacco) to appear at such Time and Place; or making any undue or illegal Election or Return; or neglecting to make Return of the Delegates so elected, by Indenture, before the Day of Sitting, &c. shall for every such Fault, be fined at the Discretion of the Lower House, not exceeding 250^l. Sterling: One Half to the Support of Government, the other to the Person informing or suing for the same; to be recovered in a Court of Record having Jurisdiction of the same, by Action of Debt, &c. *Ibid.* §. 6.

5. Persons qualified to Vote, and neglecting to appear at the Time and Place of Election, forfeit 100^{lb} Tobacco; one Half to the County Charge, the other to the Informer, who shall complain to one or more Magistrates of such Offence: Which Magistrates shall determine, and award Execution, unless such Persons shall at the next County Court, shew sufficient Cause of Absence. *Ibid.* §. 7.

6. This Act shall not exclude any County, City, or Borough hereafter to be erected, from the Election of Burgesses, Delegates, and Representatives. But such Writ, on calling every Assembly, shall be directed to the Sheriff of every such County, and to the Mayor, Recorder and Aldermen of every such City or Borough, commanding them to cause Four Freemen of such County, and Two Freemen of such City, &c. qualified as in the said Writ is expressed, to serve as Delegates, &c. in the ensuing Assembly. Which Four Delegates for every such County, and Two for the

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City or Borough, shall be deemed Members of the Lower House. *Ibid.* §. 8.

7. All Councillors shall be allowed 150^{lb} Tobacco per Day, and each Delegate and Burgess 140^{lb} Tobacco per Day, during their Attendance at such Assemblies (besides their itinerant Charges) to be paid out of the public Levy. *Ibid.* §. 9. But see *Annapolis*, 16.

8. On Death or Removal of any Member, Writs of Election shall immediately issue (upon the Speaker's Warrant to the Secretary) directed to the several Persons or Bodies Politic, to whom the Execution of such Writs shall belong; who shall immediately proceed to the Execution thereof according to the Act of 1716, *ch. 11*, without any Regard to the Time between the Test and Return of such Writ, so as public Notice be given in a County according to the said Law; and Four Days Notice of Election in a City or Borough. 1718, *ch. 1*, §. 2.

9. All professed Papists are declared incapable of Voting in Elections, unless they first qualify by taking the Oaths appointed by the Act of 1716, *ch. 5*, and subscribe the Oath of Abjuration and the Test. *Ibid.* §. 3.

10. Sheriffs and other Judges of Elections, shall, as often as they see needful, or on Information of any other Person qualified to Vote, tender the aforesaid Oaths and Subscriptions to Persons suspected to be Papists, or Popishly inclined; and set aside their Votes on Refusal. *Ibid.* §. 4.

11. But this shall not debar Quakers from their Votes, they being otherwise duly qualified. *Ibid.* §. 5. (*See below*, Art. 13.)

12. Sheriffs, or Bodies Politic, making undue Return, contrary to the Intent of this, or the Act of 1716, *ch. 11*, shall be liable to the Penalties which Sheriffs are made liable to by that Act; (*See above*, Art. 4.) to be recovered and applied as therein mentioned. *Ibid.* §. 6.

13. Doubts having arisen on the Construction of the Proviso in the above Act, (*see above*, Art. 11.) it is declared, that in all Cases where the People of this Province are obliged to take the Oaths to his Majesty's Government, the Quakers shall likewise be obliged to take their Affirmation instead of such Oaths. 1724, *ch. 18*.

14. Delegates are exempted from serving as Jurors. *See Jurors*, 4.

15. Inspectors shall not be capable of being elected Delegates, &c. *See Inspectors*, 46. *See Jurors*, 4. *Militia*, 2.

DEMAND OF DEBTS.

1. That no honest Debtor, who hath not fled or absconded from Justice, may be surprized by unnecessary and vexatious Suits, no Person residing in or trading to this Province, shall sue for any Book Debt, &c. for which the Debtor hath not passed his Hand and Seal, without first demanding the same of the Debtor at his Habitation; of which Demand the Creditor's or Demandant's Oath shall be Proof. 1729, *ch. 20*, §. 3.

2. If the Debtor be not at home, then shall the Demandant leave a Note under his Hand, of the Time when, and the Person to whom it shall be paid. And if not paid accordingly, the Creditor may then sue, and recover Costs and Damages. *Ibid.*

3. But if the Creditor sue without making such Demand, he shall lose his Costs; but shall have Judgment for the Debt or Damages, or Balance appearing due thereon. *Ibid.* §. 4.

See Public Dues, 1.
 DEPUTY CLERKS. *See Attorneys*, 1. *Records*, 1.

DEPUTY-COMMISSARY.

1. The Commissary-General shall appoint a sufficient Freeholder in each County, to take the Probat of Wills;