

DESCENTS.

An appeal given from the judgment of the county court to the chancellor, but not from his decision thereon. 1786, ch. 45, § 8.

From original decisions by the chancellor to the court of appeals. *Ibid.*

Notice to be given by the commissioners. *Ibid.*

A guardian to be appointed by such courts for the purpose, in the case of a minor who has none. *Ibid.*

The proceedings not to be set aside for matter of form. *Ibid.*

If the estate consists of things indivisible in their nature, then the rule of the common law as to the enjoyment thereof shall take place. *Ibid.*

Proviso as to citizens being out of the state. *Ibid.* § 11.

DESPERATE DEBTS.

To be distinguished from sperate in the inventory of debts returned by executors or administrators. 1798, No. 101, ch. 6, § 8.

Accounts not to be rendered when the estate is fully settled, except debts set down as desperate by the court, unless they should afterwards be recovered. *Ibid.* ch. 10, § 3.

The list of debts returned to be examined by the orphans courts, and suits to be brought for such as they shall not mark as desperate. *Ibid.* § 4.

DETINUE.

In actions of detinue, the courts, on affidavit or other evidence, may award special bail, and commit for want thereof. 1753, ch. 17, § 2.

DEVISE.

Every devise of lands to any minister, public teacher or preacher of the gospel, as such, or to any religious sect, order or denomination, or to or for the support, use or benefit of, or in trust for, any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination, shall be void, except a devise of land not exceeding two acres for a church, meeting, or other house of worship, and for a burying-ground, which shall be used only for such purpose, or such devise shall be void. Decl. 34.

Devise of shares in the Patowmack company, how to be registered, &c. in order to be valid. 1784, ch. 33, § 14.

In the Susquehanna canal company. *Ibid.* ch. 66, § 5.

In the Pacomoke company. 1796, ch. 17, § 12.

In the Chesapeake and Delaware canal company. 1799, ch. 16, § 14.

The limitations by devise therein mentioned of real estates not affected by the act to direct descents. 1786, ch. 45, § 6.

The crop on the land of a deceased person, begun by him, shall be assets, unless where the lands are devised. 1798, No. 101, ch. 7.

Directions for the appointment of a guardian where lands are devised to persons under age. *Ibid.* ch. 12, § 1.

Every devise of land, or any estate therein, or bequest of personal estate to the wife of the testator, shall be construed to be intended in bar of her dower, in lands, or share of the personal estate, unless otherwise expressed in the will. *Ibid.* ch. 13, § 1.

How a widow shall be barred by such devise. *Ibid.* § 2, 3, 4, 5.

See DOWER. WIDOW.

DEVISEE.

Directions for the appearance of the devisee, in suits that would have abated by death. 1785, ch. 80, § 1.

A devisee, or his guardian, may have an action against a widow committing waste on the land of the deceased. 1798, No. 101, ch. 13, § 6.

DISBURSEMENTS.

Made by executors or administrators, how to be stated and allowed. 1798, No. 101, ch. 10, § 2.

DISCONTINUANCE.

In cases that would have abated by death, and in which parties are to be made, if there be no appearance or proceeding by either party before the tenth day of the second court, after the death shall be suggested, the actions shall be struck off the docket, and discontinued. 1785, ch. 80, § 1.

If the grounds alleged for continuance of a cause are overruled, the trial shall proceed, or the cause be discontinued, with costs to the party requiring no delay. November, 1787, ch. 9, § 2.

DISCOUNT.

When to be made by sheriffs. 1715, ch. 46, § 11, 12, 1724, ch. 21, § 4.

In suits hereafter, on judgment, bond, or other writing sealed, the defendant having any claim against the plaintiff on judgment, bond, or other instrument under seal, or on note, agreement, *assumpsit* or account proved, shall be at liberty to file his account in bar, or plead discount to the plaintiff's claim. 1785, ch. 46, § 7.

In all cases of suits on simple contract, the defendant may file an account in bar, or plead discount of any claim proved according to law, which may be of an equal or superior nature. *Ibid.*

DISCOVERY OF CONFISCATED PROPERTY.

Manner of compelling a discovery of confiscated British property, by persons in possession. 1784, ch. 81.

The intendant authorized to sell to persons having possession thereof, and voluntarily discovering the same. *Ibid.*

The governor and council empowered to compound with the discoverers of such property. 1785, ch. 88, § 3, November, 1788, ch. 49, § 2.

The state's agent empowered to compound with the discoverers of such property. 1791, ch. 90, § 1.

Directed to call on such discoverers to make known their title before the first of June, 1792. *Ibid.* § 2.

The relinquishment of the right of the state not to affect the rights (if any) of the informer. 1797, ch. 119.

See CONFISCATION.

DISTRESS.

The fines for refusing to serve as constable to be levied by distress. 1715, ch. 15, § 2, 1752, ch. 7, § 2.

Any persons empowered to distrain for rent due as might have been done before the passing of the resolves of convention. February, 1777, ch. 15, § 5.

The sheriffs empowered to distrain for officers fees. November, 1779, ch. 25, § 17.

Directions respecting writs of replevin for property taken by distress for public dues. 1785, ch. 34, 1786, ch. 12, 1790, ch. 53.

See REPLEVIN.

The sum expended by the commanding officer in the militia, in procuring a substitute for a person refusing to serve or to send one, to be levied by distress and sale. 1793, ch. 53, § 20.

Fees allowed to collectors of the county charge on their proceeding to the sale of any goods or chattels to enforce the payment thereof. 1794, ch. 53, § 7.

DISTRIBUTION.

Executors and administrators to make distribution of the money in hand within thirteen months from the date of their letters, unless further time, (not exceeding four months,) is given. 1798, No. 101, ch. 8, § 14.

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