

Although, in absence of fraud, a husband may dispose of his personal property in his lifetime as he pleases, he cannot by will deprive his widow of her interest after his death. *Hays v. Henry*, 1 Md. Ch. 337; *Dunnock v. Dunnock*, 3 Md. Ch. 140.

This section referred to in construing sec. 340—see notes thereto. *Vogel v. Turnt*, 110 Md. 200.

See notes to sec. 127 and 130.

An. Code, 1924, sec. 127. 1912, sec. 122. 1904, sec. 121. 1888, sec. 122. 1798, ch. 101, sub-ch. 11, sec. 3. 1898, ch. 331. 1933, ch. 386.

130. If there be a surviving husband or a widow, as the case may be, and no child or descendant of the intestate, but the said intestate shall leave a father or mother, the surviving husband or widow, as the case may be, shall have one-half. If there be a surviving husband or widow, as the case may be, and no child or descendant of the intestate, and no parent, but the said intestate shall leave a brother or sister, or child of descendant of a brother or sister, the surviving husband or widow, as the case may be, shall take Two Thousand Dollars (\$2,000.00) or its equivalent in property, or any interest therein, at its appraised value, and one-half of the residue.

This section, as amended by Ch. 386, 1933, does not apply where one dies leaving a will, which ignores the widow. *Marriott v. Marriott*, 175 Md. 576.

Cited in *Safe Deposit & Trust Co.*, 3 F. Supp. 151.

Neither a murderer nor his heirs or representatives through him can inherit or take any portion of the estate of the one murdered. *Price v. Hitaffer*, 164 Md. 505.

This section applied. *Pacholder v. Rosenheim*, 129 Md. 458.

This section referred to in determining whether a widow was included in the term "heirs" as used in a will. *Shriver v. Shriver*, 127 Md. 491.

Where a legacy is given to a married woman who dies before testator and without issue, but leaving a brother and a husband, the latter is entitled to one-half of legacy. *Vogel v. Turnt*, 110 Md. 200; *Harris v. Harris*, 12 G. & J. 474.

Where widow renounces her husband's will, there being no child, this section applies. *Coomes v. Clements*, 4 H. & J. 483. And see *Griffith v. Griffith*, 4 H. & McH. 101 and note (a); *Levin v. Safe Dep. & Tr. Co.*, 167 Md. 43.

Cited in *Noel v. Noel*, 173 Md. 165.

An. Code, 1924, sec. 128. 1912, sec. 123. 1904, sec. 122. 1888, sec. 123. 1798, ch. 101, sub-ch. 11, sec. 4. 1898, ch. 331.

131. The surplus, exclusive of the share of the surviving husband or widow, as the case may be, or the whole surplus (if there be no surviving husband or widow), shall go as follows.

An. Code, 1924, sec. 129. 1912, sec. 124. 1904, sec. 123. 1888, sec. 124. 1798, ch. 101, sub-ch. 11, sec. 5.

132. If there be children and no other descendants, the surplus shall be divided equally amongst them.

This section applied. *Schaub v. Griffin*, 84 Md. 563.

An. Code, 1924, sec. 130. 1912, sec. 125. 1904, sec. 124. 1888, sec. 125. 1798, ch. 101, sub-ch. 11, sec. 6.

133. If there be a child or children, and a child or children of a deceased child, the child or children of such deceased child shall take such share as his, her or their deceased parent would (if alive) be entitled to; and every other descendant or other descendants in existence at the death of the intestate shall stand in the place of his or their deceased ancestor; provided, that if any child or descendant shall have been advanced by the intestate by settlement, or portion, the same shall be reckoned in the surplus; and if it be equal or superior to a share, such child or descendant shall be excluded, but the widow shall have no advantage by bringing such advancement into reckoning; and maintenance or education, or money given without a view to a portion or settlement in life shall not