

ARTICLE XLVIII.

DISTRIBUTION OF PERSONAL PROPERTY.

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| <ul style="list-style-type: none"> 1 Distribution of surplus, when to be made 2 Who entitled to, and in what order and shares, where there is a widow 3 Same 4 Same 5 How surplus exclusive of widow's share, etc 6 Same 7 Representation, advancement 8 When the father takes the whole. 9 When brother etc 10 Share of brother or sister | <ul style="list-style-type: none"> 11 Share of the mother 12 Collaterals 13 No collaterals 14 Persons dying before, representatives to take 15 What posthumous children to take 16 What illegitimate children to take 17 When surplus to go to the State, to whom to be paid 18. When and by whom refunded 19 How specific property distributed 20 Distribution of specific articles |
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Art 93, s 120.
 1798, c 101,
 sub-c 11
 Distribution of
 surplus, when
 to be made
 21 Md 11, 136,
 34 Md 73, 45
 Md 361, 36 Md
 447, 459, 511
 Id s 121
 1798, c 101,
 sub-c 11, s 1
 Who entitled to,
 and in what or-
 der and shares.

Id s 122
 1798, c 101,
 sub-c 11, s 2
 Same 38 Md 183.

Id s 123
 1798, c 101,
 sub-c 11, s 3.
 Same
 Where there is
 a widow.

Id s 124
 1798, c 101,
 sub-c 11, s 4.
 Same
 Exclusive of

Id s 125
 1798, c 101,
 sub-c 11, s 5.
 Same

Id s 126
 1798, c 101,
 sub-c 11, s 6
 Representation
 19 Md 81, 332,
 27 Md 693, 45
 Md 246, 11 G &
 J 185, 9 Gall 81,
 8 Gill 46

Advancement.

1. When all the debts of an intestate exhibited and proved, or notified, and not barred, shall have been discharged or settled, or allowed to be retained as directed in article L of this Code, the administrator shall proceed to make distribution of the surplus as follows:

2. If the intestate leave a widow, and no child, parent, grandchild, brother, or sister, or the child of a brother or sister of the said intestate, the said widow shall be entitled to the whole.

3. If there be a widow, and a child or children, or a descendant or descendants from a child, the widow shall have one-third only.

4. If there be a widow, and no child, or descendants of the intestate, but the said intestate shall leave a father or mother, or brother or sister, or child of a brother or sister, the widow shall have one-half.

5. The surplus, exclusive of the widow's share, or the whole surplus (if there be no widow), shall go as follows:

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

7. 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 be deemed advancement; and in all cases, those in equal degree claiming in the place of an ancestor, shall take equal shares.