

8. If there be a father, and no child or descendant, the father shall have the whole.

Id s 127
1798, c 101,
sub-c 11, s 7

When the father takes the whole

9. If there be a brother or sister, or child or descendant of a brother or sister, and no child, descendant, or father of the intestate, the said brother, sister, or child or descendant of a brother or sister, shall have the whole.

Id s 128
1798, c 101,
sub-c 11, s 8
When brother,
etc
29 Md 120

10. Every brother and sister of the intestate shall be entitled to an equal share, and the child or children of a brother or sister of the intestate shall stand in the place of such brother or sister.

Id s 129
1798, c 101,
sub-c 11, s 9.
Share of brother
or sister
29 Md 120

11. If the intestate leave a mother, and no child, descendant, father, brother, sister, or child, or descendant of a brother or sister, the mother shall be entitled to the whole; and in case there be no father, a mother shall have an equal share with the brothers and sisters of the deceased, and their children and descendants.

Id s 130.
1798, c 101,
sub-c 11, s 10.
The mother's
share

12. After children, descendants, father, mother, brothers, and sisters of the deceased, and their descendants, all collateral relations in equal degree shall take, and no representation amongst such collaterals shall be allowed; and there shall be no distinction between the whole and half blood.

Id s 131,
1798, c 101,
sub-c 11, s 11.
Collaterals
29 Md 120;
2 H & G 9.

13. If there be no collaterals, a grandfather may take, and if there be two grandfathers, they shall take alike; and a grandmother, in case of the death of her husband, the grandfather, shall take as he might have done.

Id s 132
1798, c 101,
sub-c 11 s 12
No collaterals.

14. If any person entitled to distribution shall die before the same shall be made, his or her share shall go to his or her representatives.

Id s 133.
1798, c 101,
sub-c 11, s 13

Persons dying before, representatives to take.

15. Posthumous children of intestates shall take in the same manner as if they had been born before the decease of the intestate, but no other posthumous relation shall be considered as entitled to distribution in his or her own right.

Art 93, s 134.
1798, c 101,
sub-c 11, s 14
What posthumous
children to take

16. The illegitimate child or children of any female, and the issue of any such illegitimate child or children, shall be capable to take real or personal estate from their mother, or from each other, or from the descendants of each other, in like manner as if born in lawful wedlock.

Id s 135.
1825, c 156
What illegitimate
children
to take
43 Md 516.

17. If there be no widow or relations of the intestate within the fifth degree, which shall be reckoned by counting down from the common ancestor to the more remote, the whole surplus shall belong to the State, and shall be paid to the board of county school commissioners of the county wherein letters of administration shall be granted upon the estate of the deceased, for the use of the public schools of said county.

1876, c 295
When surplus
to go to the
State.
47 Md 14, 4 G
& J 407, 7 G. &
J 369
To whom to be
paid.

18. If any legal representative shall appear after payment has been made under the preceding section, the board of county school commissioners receiving such payment shall pay the same to such representative; but no collateral more remote than brothers' and sisters' children shall claim under this section.

1729, c 24, s 20.
1878, c 316
When and by
whom refunded.

19. In case the surplus remaining in the administrator's hands,

Art 93, s 138
1798, c. 101,