

1904, art. 93, sec. 21. 1888, art. 93, sec. 21. 1860, art. 93, sec. 21. 1798, ch. 101, sub-ch. 5, sec. 13. 1898, ch. 331.

**21.** If there be neither surviving husband nor widow, as the case may be, nor child, nor grandchild, nor father, brothers and sisters shall be preferred, and next to brothers and sisters the mother shall be preferred.

A brother held to be entitled to letters under this section and section 23. *Stouffer v. Stouffer*, 110 Md. 370.

Upon the renunciation of the widow and one sister, the other sister is entitled. *Slay v. Beck*, 107 Md. 361.

This section referred to in construing section 33—see notes thereto. *Georgetown College v. Browne*, 34 Md. 457.

Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Pollard v. Mohler*, 55 Md. 289.

See notes to sec. 18.

*Ibid.* sec. 22. 1888, art. 93, sec. 22. 1860, art. 93, sec. 22. 1798, ch. 101, sub-ch. 5, sec. 14. 1898, ch. 331.

**22.** If there be neither surviving widow nor husband, as the case may be, nor child, nor grandchild, nor father, nor brother, nor sister, nor mother, the next of kin shall be preferred.

A female first cousin on the part of the father is entitled to letters before a male first cousin on the part of the mother. There is no conflict between sections 22 and 29. The term "next of kin" as used in this section, defined. This section construed in connection with section 70. *Kearney v. Turner*, 28 Md. 423.

Where an intestate leaves an only sister who renounces, the next of kin are entitled although they have no interest in the estate. *Williams v. Addison*, 93 Md. 45. And see *McColgan v. Kenny*, 68 Md. 259.

Cited but not construed in *Pollard v. Mohler*, 55 Md. 289; *Georgetown College v. Browne*, 34 Md. 455.

See notes to sec. 18.

*Ibid.* sec. 23. 1888, art. 93, sec. 23. 1860, art. 93, sec. 23. 1798, ch. 101, sub-ch. 5, sec. 15.

**23.** Males shall be preferred to females in equal degree or kin.

This section applied notwithstanding the fact that the male applicant was indebted to the estate. *Cook v. Carr*, 19 Md. 4.

This section referred to in construing section 33—see notes thereto. *Georgetown College v. Browne*, 34 Md. 457.

Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Pollard v. Mohler*, 55 Md. 289.

See notes to sections 18, 21 and 22.

*Ibid.* sec. 24. 1888, art. 93, sec. 24. 1860, art. 93, sec. 24. 1798, ch. 101, sub-ch. 5, sec. 16.

**24.** Relations of the whole blood shall be preferred to those of the half-blood in equal degree, and relations of the half-blood shall be preferred to relations of the whole blood in a remoter degree.

Where letters granted to an aunt are sought to be revoked by a sister, an issue raising the question of whether the petitioner is a sister of the half blood, is immaterial. *Richardson v. Smith*, 80 Md. 97.

Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Pollard v. Mohler*, 55 Md. 289; *Georgetown College v. Browne*, 34 Md. 455.

See notes to sec. 18.