

## DIVISION AND ELECTION.

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| <p>32 Commission for partition of intestate's land, oath of commissioners</p> <p>33 A majority to act</p> <p>34 Notice</p> <p>35 Appointment of guardian</p> <p>36 Notice where any of the parties reside out of the State</p> <p>37 What evidence of notice</p> <p>38 To value estate, where to make partition equally</p> <p>39 Where to make partition and ascertain value of each part</p> <p>40 Allotment</p> <p>41 Right of election</p> <p>42 To return partition and allotment</p> <p>43 Where estate indivisible, to be valued and return made.</p> | <p>44 When not divisible without loss, to be valued, right of election.</p> <p>45 Right of election</p> <p>46 Right of election, where person entitled by purchase</p> <p>47 Notice to party out of the State entitled to elect</p> <p>48 Where person entitled disqualified, who may elect</p> <p>49 Where person entitled a minor, a married woman</p> <p>50 How election or refusal to elect may be made</p> <p>51 Person electing to give bond, bond, lien.</p> |
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## SALE BY COMMISSIONERS.

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| <p>52 When not taken by election, to be sold, sale to be ratified</p> <p>53 Where parties all minors</p> <p>54 Bonds to be taken, where sold on credit</p> <p>55 Bonds may be given to the State, bond, lien</p> <p>56 How purchaser compelled to comply</p> <p>57 When divided, curtesy to be laid off</p> <p>58 When sold, tenant by curtesy to have share of proceeds</p> <p>59 Where curtesy in undivided part</p> <p>60 Same</p> <p>61 Where life estate in undivided part, remainder after life estate</p> | <p>62 Power to be laid off</p> <p>63 May be sold clear of dower by consent, allowance in lieu of dower</p> <p>64 Pay of commissioners</p> <p>65 Deed to person electing</p> <p>66 Deed to purchaser</p> <p>67 Where purchaser dies or assigns before deed executed.</p> <p>68 Vacancies among commissioners</p> <p>69 When court may order deed to be made</p> <p>70 Proceedings not to be set aside for form.</p> |
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## DESCENTS

Art 47, s 1  
1746 c 45  
1820, c 191, s 1,  
What lands  
shall descend  
21 Md 477, 23  
Md 111-118, 32  
Md 77, 47 Md  
356.

Id s 2  
1820, c 191, s 1  
How to descend

Id s 3  
1820, c 191, s 1  
How when derived from the

Id s 4  
1820, c 191, s 1.  
Same  
27 Md 200

Id s 5  
1820, c 191, s 1  
Same  
27 Md 200.

Id s 6  
1820, c 191, s 1.  
Same  
27 Md 200.

Id s 7  
1820, c 191, s 1.  
Same.

**1.** If any person seized of an estate in the lands, tenements, or hereditaments lying in this State, in fee simple, or fee simple conditional, or of an estate in fee tail general, shall die intestate thereof, such lands, tenements, or hereditaments shall descend in fee simple to the kindred male and female of such person in the following order, to wit:

**2.** First, to the child or children and their descendants, if any, equally

**3.** If no child or descendant, and the estate descended to the intestate on the part of the father, then to the father.

**4.** If no father living, then to the brothers and sisters of the intestate of the blood of the father, and their descendants equally.

**5.** If no brother or sister as aforesaid, or descendant from such brother or sister, then to the grandfather, on the part of the father.

**6.** If no such grandfather living, then to the descendants of such grandfather and their descendants, in equal degree equally.

**7.** If no descendant of such grandfather, then to the father of such grandfather, and if none such living, then to the descendants of the father of such grandfather in equal degree, and so on, passing