

1888, art. 93, sec 123. 1860, art. 93, sec. 124. 1798, ch. 101, sub-ch. 11, sec. 4. 1898, ch. 331.

122. 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.

Ibid. sec 124. 1860, art. 93, sec. 125. 1798, ch. 101, sub-ch. 11, sec. 5.

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

Schaub v. Griffin, 84 Md. 568.

Ibid. sec. 125. 1860, art. 93, sec. 126. 1798, ch. 101, sub-ch. 11, sec. 6.

124. 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.

Stewart v State, 2 H. & G. 114. *State v. Jameson*, 3 G. & J. 442. *Stewart v. Pattison*, 8 Gill, 46. *Hayden v. Burch*, 9 Gill, 81. *Smith v. Donnell*, 9 Gill, 86. *Young's Estate*, 3 Md. Ch. 461. *Dugan v. Hollins*, 4 Md. Ch. 139. *Cecil v. Cecil*, 19 Md. 81. *Parks v. Parks*, 19 Md. 332. *Cecil v. Cecil*, 20 Md 153. *Clark v. Willson*, 27 Md 693. *McComas v. Amos*, 29 Md. 120. *Pole v. Simmons*, 45 Md. 246. *Dilley v. Love*, 61 Md. 603.

Ibid. sec. 126. 1860, art. 93, sec. 127. 1798, ch. 101, sub-ch. 11, sec. 7.

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

Chester County Hospital v. Hayden, 83 Md. 115. *Schaub v. Griffin*, 84 Md. 563.

Ibid. sec 127. 1860, art. 93, sec. 128. 1798, ch. 101, sub. ch. 11, sec 8.

126. If there be a brother or sister, or child or descendant of a brother or sister, and no child, descendant or father of