

the real property of decedents more nearly to the law relating to personal property.

*Be it enacted by the General Assembly of Maryland, That Sections 1 to 23 (inclusive), 25, 26, 27, 28 and 31 of Article 46 of the Code of Public General Laws of Maryland, title "Inheritance," in Bagby's Annotated Code of said Laws, be and they are hereby repealed; and that the following sections of Article 46, to be known as Sections 1, 2, 3 and 4 of said Article, be and they are hereby enacted in lieu thereof, said new sections to read as follows:*

Section 1. If any person seized of an estate in lands, tenements or hereditaments, lying in this State, in fee simple, fee simple conditional, or in fee tail, general or special, shall die intestate thereof, said lands, tenements or hereditaments shall descend in fee simple to those persons who, according to the laws of this State now or hereafter in force relating to the distribution of the personal property of intestates, would be the distributees to take the surplus personal property of such intestate, if he had died, possessed of such, and a resident of this State; and such heirs shall take in the same proportions as are or shall be fixed by such laws relating to personal property.

Section 2. If said intestate leave a widow or a surviving husband, such widow or surviving husband shall take, as an heir, the same share or proportion of such lands, tenements or hereditaments as a widow or surviving husband takes as a distributee in the personal property of her or his deceased spouse under such laws relating to personal property.

Section 3. A surviving husband or widow shall take, as heir, the same share or proportion in any lands, tenements or hereditaments within this State belonging to the deceased spouse at the time of his or her death, though such deceased spouse die testate, which such surviving husband or widow would take in the personal property of a resident spouse so dying testate; but such share shall be subject to be barred by provisions in his or her favor by such will to the same extent and in the same manner as is provided by law with respect to barring dower by the acceptance of such testamentary provisions, and election not to accept said provisions shall be made in the same manner and within the same time as is so provided.

But nothing in this section shall be taken as giving a husband or wife any right of conveying, by deed inter vivos, his