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accept that view That question has already been passed upon by the Court of Appeals of this State It has been determined that when a portion of a residuary bequest becomes inoperative it does not pass into the other portions of the residue to serve them but passes to the next of kin.

56 Md. M E Church vs Smick et al.

So if the will in no way apportioned "the rest and residue" of the estate constituted the trust fund among the Sisters. it could be asserted with great force that such terms would carry over the portion of any who died without children to those who survived. but the design and effect of the will of Valentine Adams was to divide up the whole trust fund of Sixteen thousand dollars so that each daughter had an interest in the one fourth thereof. and four distinct trusts were thus created. The will distinctly provides that each of said daughters shall have a life interest in one of said portions. and on the death of any of them her portion vests in her children. if she left any In the event a daughter died without children. the will makes no provision for the remainder. In disposing of that it rests on the contingency that the daughter left children. As I have stated above Mrs Fanny Adams died unmarried and without children. and the question then is how should the four thousand dollars constituting her portion of the trust fund of Sixteen thousand dollars be distributed. It seems to me the case Gambrill vs Miner 71 Md so effectually answers and settles that question. In that case Charles A Gambrill by his last will among other provisions created a trust in favor of his daughter Margaret. by which she was to enjoy for life the income, and revenues thereof and was vested with the power to dispose of said trust fund to such persons as she might appoint by her last will and testament. The only limitation on the power was that her husband was in no way to be the beneficiary of any appointment she might make it being the evident intent of the testator that he should in no way receive any benefit from his bounty. The daughter subsequently married again and then died. but shortly before her death by a last will and testament undertook to exercise the power. It was contended that the power was defectively executed. and to the Circuit Court for this County on a Bill being filed