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was re-enacted in theabove form with the addition of the following proviso.

" Provided however, that this section shall not apply to the last will , Testament or Codicil, of any person dying after March 31st 1910, where the maker of said last will, testament or Codicil, after the Execution thereof, and before the death of such devisee or legatee shall become insane or otherwise incompetant to cancel, revoke, annul. obliterate or alter said will, testament or Codicil,"

That said Act of March 31st 1910, is still in full force and effect, That said Act of March 31,1910, was construed by the Court of last resort, the Court of Appeals, of the State of Maryland, in the case of Hemsley Vs, McKim, which case is reported in Volume 119 of the Maryland Reports at page 437 said decision being rendered January 13,1913, and being also reported in volume 87 of the Atlantic Reports at page 506, that in said case of Appeals, of the State of Maryland, held that the provision contained in said Act,has no application t to will executed prior to the passage of said Act, where the Testater became insane, or otherwise incompetent prior to the Passage of said Act.

That said Mary Louisa Guthrie became, at a time subsequent to the exe- of said Will and prior to the passage of said Act, of 1910, insane and utterly incompetent to cance, revoke, annul, Obliterate, or alter said will, and testament, and continued so until her death.

That until or under the laws of the State of Maryland, as construed by the said Court of last resort, of said State, a bequest saved by said Section 326 of said article, 93 from lapsing, goes direct to the deceased, legatees, and that the time of the Transfer of Title, to such legacy under said section is the death of the Testator, and that the title to said legacy passes to those then in being, and entitled to receive by distribution the estate of such deceased legatee, in case of his intestacy; that said construction was placed upon said laws by said Court, in the case of Vogel vs, Trundt, 110 Maryland Reports, at page 199; Wallace vs, Dubois, 65 Maryland Reports, page 151; Glenn Vs,Belt, 7,G, &J Maryland Reports, page 367, Hays Vs, Wright, 43 Maryland Reports, Page 125,

That said George P, beam as surviving husband of said Barbara Jane Beam, is entitled, to receive as distributee of thestate of said Barbaba Jane Beam in case of her intestacy one-third of all personal property and moneys remaing after payment of debts, etc.,and that said Harry Beam is entitled to receive two-thirds of such personal property, and moneys; and that said George P, Beam and Harry Beam are entitled to receive from the estate of said Mary Louisa Guthrie. deceased,,all property and sums of money which said Barbara Jane Beam woul have been entitled to receive had she survived said Mary Louisa Gutherie, deceased, such property. and mocy to be dividdd between said George P, Beam and Harry Beam at the rate of One third to said George P, Beam and two-thirds to said Harry Beam.

That Said Louis Guthrie, William Guthrie, Charles Guthrie, and Margaret E, Hutchison as surviving Children of said William S, Guthrie, deceased, are entitled to receive as distributees of the estate of said William S, Guthrie, in case of his intestacy, all personal property, and moneys arising or remainig after the payment of debts, etc., and that said Louis Guthrie, William Guthrie Charles Guthrie, and Margaret E, Hutxhison are entitled to receive from the estate of said Mary Louisa Guthrie, deceased, all sums of money which said William S Guthrie would have been entitled to receive had he survived said Mary louis Guthrie, deceased, such money to be divided between said Louis Guthrie, William Guthrie, Charles Guthrie, and Margaret E, Hutchisen in Equal parts, share and share alike;

That at all the times herein mentioned the following laws, were in force, in the State of Maryland, and Applicable to this case.

Section 119, of said Article 93, provided,"when all debts of an intestate