

register of wills for the several counties, and a copy thereof shall also be filed with the report of sales of such lands and tenements.

See notes to sec. 317.

1904, art. 93, sec. 313. 1898, ch. 331, sec. 306 A.

317. The provisions of the preceding sections 301 to 316, both inclusive, relating to the rights of widows in the estates of their husbands, shall apply to and be enforced in favor of surviving husbands, so as to give to, vest in and confer upon surviving husbands the same rights in the estates of their deceased wives, which said sections 301 to 316, both inclusive, give to, vest in and confer upon widows in the estates of their deceased husbands.

The provisions of this section apply where the wife dies subsequently to January 1, 1899 (the date the act of 1898, ch. 331, went into effect), regardless of when the marriage took place. Cases distinguished. What property the husband is not entitled to a distributive share of. This section is valid. *Safe Deposit Co. v. Gittings*, 103 Md. 495.

Under this section and section 302 where a husband renounces, the costs of caveat proceedings should be borne by the estate passing under the will, and the husband should not be charged with any part of them. *Grabill v. Plummer*, 95 Md. 61.

As to the husband's interest in his deceased wife's personal property, see sec. 120, *et seq.*

As to the husband's dower. see art. 45, sec. 7.

Wills.

1906, ch. 59.

318. No devise or bequest hereafter made or heretofore made in any will or testament which shall hereafter be probated, or any real or personal property of the value of five thousand dollars or less, in trust or otherwise, for the purpose of providing for the perpetual care or keeping in good order and condition, or making repairs to any lot, vault, mausoleum or other place of sepulture belonging to any individual or several individuals, in any cemetery or graveyard intended for the burial of the members of the family, family connections, relatives or friends of the owner thereof, or of their successors in ownership, shall be held to be void as offending the rule against perpetuities.

1904, art. 93, sec. 314. 1888, art. 93, sec. 307. 1860, art. 93, sec. 298. 1798, ch. 101, sub-ch. 1, sec. 1. 1884, ch. 293. 1908, ch. 84.

319. All lands, tenements and hereditaments which might pass by deed, and which would, in case of the proprietor dying intestate, descend to or devolve on his or her heirs or other representatives, except estates tail, and all goods, chattels, monies, rights, credits or personal property of any kind, which might pass by deed, bill of sale, assignment or delivery, and all rights of entry for condition broken, and all rights and possibilities of reverter shall be subject to be disposed of, transferred and passed by his or her last will or codicil, and any testator devising real or personal property subject to a condition or conditions, may