

A devise over conceded not to be void for indefiniteness under this section. *Lumpkin v. Lumpkin*, 108 Md. 487.

Cited but not construed in *Pennington v. Pennington*, 70 Md. 438; *Carpenter v. Boulden*, 48 Md. 129.

For a similar section applicable to deeds, see art. 21, sec. 90.

1904, art. 93, sec. 326. 1888, art. 93, sec. 318. 1860, art. 93, sec. 306. 1810, ch. 34, sec. 1. 1884, ch. 293.

**333.** No nuncupative will shall hereafter be valid in this State; but any soldier being in actual military service, or any mariner being at sea, may dispose of his movables, wages and personal estate as heretofore.

As to the requisites of a nuncupative will, and the law prior to the act of 1884, ch. 293, see *Hammett v. Shanks*, 41 Md. 219; *Biddle v. Biddle*, 36 Md. 630; *O'Neill v. Smith*, 33 Md. 572; *Weems v. Weems*, 19 Md. 348; *Welling v. Owings*, 9 Gill, 470; *Dorsey v. Sheppard*, 12 G. & J. 199; *Brayfield v. Brayfield*, 3 H. & J. 208.

Cited but not construed in *Lindsay v. Wilson*, 103 Md. 266.

*Ibid.* sec. 327. 1888, art. 93, sec. 319. 1860, art. 93, sec. 307. 1810, ch. 34, sec. 2. 1884, ch. 293. 1888, ch. 544. 1894, ch. 151.

**334.** Every will or other testamentary instrument made out of the State shall be held to be valid in Maryland, if the same be made according to the forms required by the law of the place where the same was made or by the law of the place where the testator was domiciled when the same was made, or according to the forms required by the law of this State; and if the testator was originally domiciled in Maryland, although at the time of making the will or at the time of his death he may be domiciled elsewhere, the said will or testamentary instrument then so executed shall be admitted to probate in any orphans' court of this State; and when so admitted shall be governed by and construed and interpreted according to the law of Maryland, without regard to the *lex domicilii*, unless the testator shall expressly declare a contrary intention in said will or testamentary instrument.

A holographic will made in France, not witnessed, but executed in accordance with the laws of France, is valid to pass real estate in Maryland. This section qualifies section 323. History of this section. The word "valid" construed. This section refers to wills of real estate as well as to those of personalty. Effect of latter portion of this section upon the construction and interpretation of a will written in French. *Lindsay v. Wilson*, 103 Md. 266.

The portion of this section making valid in Maryland a will executed as required by the law of the place where it is executed, applied. *Olivet v. Whitworth*, 82 Md. 276.

*Ibid.* sec. 328. 1888, art. 93, sec. 320. 1860, art. 93, sec. 308. 1842, ch. 293, sec. 6.

**335.** A wife shall have a right to make a will, and give all her property, or any part thereof, to her husband, or to other persons, with the consent of her husband subscribed to said will; provided always, that the wife shall have been privately examined by the witnesses to her will, apart from and out of the presence and hearing of her husband, whether she doth make the same will freely and voluntarily, and without being induced thereto by fear or threats of, or ill usage by, her