said husband, and says she does it willingly and freely; but no will under this section shall be valid unless made at least sixty days before the death of the testatrix. This section not to apply to property acquired since January 12, 1860.

A married woman may devise or bequeath all her property, real and personal, which belonged to her at the time of her death if that took place since the adoption of the code of 1860, and all the property which she has acquired since that time. Schull *v.* Murray, 32 Md. 16.

This section held to refer only to the wife's general property, and not to her sole and separate estate. History of this section. Buchanan *v.* Turner, 26 Md. 5. And see Schull *v.* Murray, 32 Md. 16.

A will held not to be executed in due form under this section because the written consent of the husband was not annexed thereto, and also because it was not executed sixty days before her death. Hanson *v.* Johnson, 62 Md. 27. And see Michael *v.* Baker, 12 Md. 168.

This section held to have no application to the execution of a power by a paper in the nature of a will, where such paper is executed in accordance with the directions in the deed creating the power. Schley *v.* McCeney, 36 Md. 273. And see Michael *v.* Baker, 12 Md. 168.

The act of 1842, ch. 293, cited but not construed in Oswald *v.* Hoover, 43 Md. 370.

As to the powers and rights of married women in general, see art. 45.

1904, art. 93, sec. 329. 1888, art. 93, sec. 321. 1860, art. 93, sec. 309. 1849, ch. 229.

336. Every last will and testament executed in due form of law after the first day of June, 1850, shall pass all the real estate which the testator had at the time of his death.

This section makes the will speak as to the subject matter of the disposition, as of the time of the testator's death, changing the former rule in that respect. Lavender *v.* Rosenheim, 110 Md. 155; Bourke *v.* Boone, 94 Md. 477.

This section does not operate to pass "after-acquired" property contrary to the testator's intention. Lindsay *v.* Wilson, 103 Md. 268; Bourke *v.* Boone, 94 Md. 477; Rizer *v.* Perry, 58 Md. 134; Rea *v.* Twilley, 35 Md. 411; Taylor *v.* Watson, 35 Md. 519.

A will executed in conformity with section 334 is as much "in due form of law" as one executed under section 323. The fact that a testator did not know when his will is drawn, that he would acquire certain property, does not prevent the application of this section. Lindsay *v.* Wilson, 103 Md. 268.

Where a devise of real estate fails by reason of the incapacity of the devisee, such real estate does not pass by virtue of this section to the residuary devisee in the will. Rizer *v.* Perry, 58 Md. 134.

This section applied. Ruckle *v.* Graffiln, 86 Md. 631; Brady *v.* Brady, 78 Md. 474.

This section referred to in deciding that a devisee is a competent witness to a will, and that the devise is not void because of his being such witness. Leitch *v.* Leitch, 114 Md. 336.

This section does not embrace a will executed prior to June 1, 1850—change made in the act of 1849, ch. 229, by the adoption of the code of 1860. Johns *v.* Hodges, 33 Md. 522. And see Carroll *v.* Carroll, 16 How. 275.

This section referred to in discussing the retroactive operation *vel non* of other statutes. Estep *v.* Mackey, 52 Md. 596; William *v.* Baltimore, etc., Loan Assn., 45 Md. 557.

For cases dealing with the retroactive operation *vel non* of the act of 1849, ch. 229, sections 1 and 2, prior to the code of 1860, see Wilson *v.* Wilson, 6 Md. 488; Alexander *v.* Worthington, 5 Md. 471 (see reporter's note at the end of the case); Magruder *v.* Carroll, 4 Md. 346; Carroll *v.* Carroll, 16 How. 275.

As to the law prior to the adoption of the act of 1849, ch. 229, see Alexander *v.* Worthington, 5 Md. 471; Kemp *v.* McPherson, 7 H. & J. 320.