

of his death, or an indefinite failure of his issue, shall be construed to mean a want or failure of issue in the lifetime, or at the time of the death of such person, and not an indefinite failure of his issue, unless a contrary intention shall appear by the will.

In force from March 8, 1862. •

1862, c. 155 repeals section 314 and substitutes the following :

314. Any will or codicil may be proved in any county or city, wherein letters testamentary or of administration may be granted. 1862, c. 155. Where wills may be proved.

In force from April 1, 1862.

1864, c. 157 adds the following as section 329 :

329. Every register of wills in this state shall receive, for safe keeping, the will of any living person who resides in the city or county for which such register is appointed, every such will being first sealed up and endorsed with the name of the testator, its date, and the date of its delivery to the register, and the name of the executor or other person to whom it may be delivered at the death of the testator ; and such register shall receive for each will so deposited fifty cents, and shall immediately index it in an index to be kept for that purpose, and there keep it in his office in a depository to be kept for that purpose, until the death of the testator, unless delivered to such testator or to his order, in his lifetime, upon a receipt therefor being given on said index. 1864, c. 157. Register to receive ambulatory wills for safe keeping. His fees. Index.

In force from February 10, 1864.