

power of appointment, unless the contrary intention shall appear in the will or codicil containing such devise or bequest.

Farlow v. Farlow, 83 Md 122. *United Railways v. Seymour*, 92 Md. 425.

1894, ch 438, sec. 316 A.

324. In all wills hereafter executed, the real estate of every testator not specifically devised shall be chargeable with the payment of pecuniary legacies, wherever the personal estate after the payment of debts shall prove to be insufficient, unless the contrary intention shall clearly appear.

Pearson v. Wartman, 80 Md. 531. *Ewell v. McGregor*, 96 Md. 359.

1888, art. 93, sec. 317. 1862, ch. 161

325. In any devise or bequest of real or personal estate, the words "die without issue," or "die without leaving issue," or any other words which may import either a want or a failure of issue of any person in his lifetime, or at the time 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.

Woollen v. Frick, 38 Md. 428. *Goldsborough v. Martin*, 41 Md. 488. *Mason v. Johnson*, 47 Md 347. *James v. Rowland*, 52 Md. 462. *Estep v. Mackey*, 52 Md. 592. *Gable v. Ellender*, 53 Md. 311. *Henderson v. Henderson*, 64 Md. 185. *Comegys v. Jones*, 65 Md. 317. *Combs v. Combs*, 67 Md 16. *Smith v. Montgomery*, 75 Md. 140. *Weybright v. Powell*, 86 Md 573.

Ibid. sec. 318. 1860, art 93, sec. 306. 1810, ch. 34, sec. 1. 1884, ch. 293.

326. 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.

Brayfield v. Brayfield, 3 H. & J. 208. *Dorsey v. Sheppard*, 12 G. & J. 192. *Welling v. Owings*, 9 Gill, 470. *Weems v. Weems*, 19 Md. 348. *O'Neill v. Smith*, 33 Md 569. *Biddle v. Biddle*, 36 Md. 630. *Hammett v. Shanks*, 41 Md. 201

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

327. 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