

pass all the real estate which the testator had at the time of his death.

Kemp's Exrs. v. McPherson, 4 Md. 335. Magruder v. Carroll, 4 Md. 335. Alexander v. Worthington, 5 Md. 471. Wilson v. Wilson, 6 Md. 487. Johns v. Hodges, 33 Md. 575. Rizer v. Perry, 58 Md. 112.

P. G. L., (1860,) art. 93, sec. 310. 1798, ch. 101, sub-ch. 2.

322. Probate of wills may be made in the following manner, that is to say:

Ibid sec. 311. 1798, ch. 101, sub-ch. 15, sec. 1. 1831, ch. 315, sec. 1.

323. The orphans' courts, and in their recess, the registers of wills in this State, are authorized to take the probate of any will, testament or codicil, whether the same has relation to real or personal estate, or to both real and personal estate.

Belt v. Belt, 1 H. & McH. 409. Wilmot's Lessee v. Talbot, 3 H. & McH. 2. Collins' Lessee v. Elliott, 1 H. & J. 1. Collins v. Nicholls, 1 H. & J. 399. Deakins v. Hollis, 7 G. & J. 311. Hannon v. State, 2 Gill, 42. Budd v. Brooke, 3 Gill, 198. Robey v. Hannon, 6 Gill, 463. Boofter v. Rogers, 9 Gill, 44. Rhodes v. Vinson, 9 Gill, 169. Townshend v. Townshend, 9 Gill, 506. Gaither v. Gaither, 3 Md. Ch. 158. Welty v. Welty, 8 Md. 15. Michael v. Baker, 12 Md. 158. Warford v. Colvin, 14 Md. 532. Colvin v. Warford, 20 Md. 385. Johns v. Hodges, 62 Md. 525.

Ibid sec. 312. 1798, ch. 101, sub-ch. 2, sec. 2..

324. It shall be lawful for any private person in whose possession or custody a will or codicil shall be after the death of the testator, to open and read the same in the presence of any near relations of the deceased who may conveniently have notice thereof, and other persons, and immediately thereafter to deliver the same to the register of wills of the county, whose duty it shall be to keep the same safe until proceedings may be had for the probate thereof in the said office, or until it be demanded by an executor or other person authorized to demand it for the purpose of having it proved according to law.

Ibid. sec. 313. 1798, ch. 101, sub-ch. 2, sec. 3.

325. If any private person, in whose possession or custody a will or codicil shall be after the death of the testator, shall wilfully neglect to deliver the same to the register of wills of the county where the said person resides, or where it is proper to