

1888, art. 93, sec. 334. 1860, art 93, sec. 323. 1831, ch 315, sec 1. 1888, ch. 453. 1890, ch. 416. 1892, ch. 81.

**343.** In proving a will or codicil all the witnesses thereto shall be examined if their attendance can be had, and the register of wills of any county or of the city of Baltimore where any will shall have been filed for probate, or any deputy of his when directed so to do by an order of the orphans' court may examine and take the deposition of any or all of the witnesses thereto who from any cause cannot conveniently attend to the office of said register of wills, wherever he may find such witness or witnesses, whether within the State of Maryland or beyond its jurisdiction, provided that before the original will is taken from the office of said register of wills for the purpose of being so proved, the said register shall cause to be made out and filed among the records of his court a copy of said will duly certified under the seal of his court; and the probate of any will so taken shall have the same effect and be as valid as if all of the witnesses thereto had appeared before and been examined by the orphans' court or the register of wills of the county or city where the same had been filed for probate and record; provided further that the orphans' court may in their discretion, accept proof of any will, in the manner prescribed in section 346, when the attendance of the witnesses thereto cannot, in the judgment of the said court, be conveniently had.

Warford v. Colvin, 14 Md. 532. Worthington v. Gittings, 56 Md 542  
Johns v. Hodges, 62 Md. 525.

Ibid. sec. 335. 1860, art. 93, sec. 324. 1785, ch. 46, secs. 2-4.

**344.** A copy of the record of any will which the laws of the State or country where the same may be executed require to be recorded or registered, and which hath been recorded or registered agreeably to such laws, under the hand of the keeper of such record or register, and the seal of the court or office in which such record or register hath been made, or a copy of any will lodged for safe keeping in any office or court agreeably to the laws of the State or country as aforesaid, and certified as aforesaid, shall be good and sufficient evidence in any court in this State to prove such will. Where any will hath been or shall be executed in any other of the United States, or in any foreign country, and to give validity to which recording or registering is not or shall not be made necessary, proof of the execution thereof by the oath of the subscribing witnesses to the same, or any of them, taken before any court,