

343.

See notes to section 344.

344.

It is only where none of the near relations of the deceased are present when the will is exhibited for probate that it must appear that reasonable notice was given them; where any of the near relatives attend and no objection or caveat is filed, the orphans' court may probate the will. The order of the orphans' court admitting a will to probate should not be rescinded because one of the heirs or next of kin subsequently determines to caveat the will. If the authority of the orphans' court to probate the will had depended upon notice to the near relations, that court could have determined, subject to an appeal, whether such notice had been given; if the action of the court was procured by material misrepresentation, however innocent, its order based thereon could be rescinded. *Lederer v. Johannsen*, 124 Md. 455; *Linthicum v. Linthicum*, 130 Md. 151.

345.

See notes to section 344.

346.

See notes to section 344.

347.

See notes to section 344.

348.

See notes to section 344.

353.

Attestation of a witness upheld under this section; see notes to section 323. *Woodstock College v. Hankey*, 129 Md. 681.