

Id s 301  
1798, c 101,  
sub-c 1, s 4  
Wills of lands  
to be in writing,  
14 Md 529, 19  
Md 349, 26 Md  
1, 28 Md 115,  
465, 30 Md 284,  
38 Md 317, 417  
How attested.

Id s 302  
1798, c 101,  
sub-c 1, s 4  
How revocable  
14 Md 532,  
20 Md 359

Id s 303  
1810, c 34, s 3.  
Wills of per-  
sonal estate,  
how revocable  
26 Md 95

Id. s. 304  
1810, c 34, s 4,  
1832, c 295  
No devise or  
bequest to lapse  
9 Md 575, 28  
Md 348, 33 Md  
442, 35 Md 519,  
40 Md 171, 43  
Md 122

Id s 305  
1825, c 119  
What words  
imply absolute  
estate  
10 Md 186, 30  
Md 447, 35 Md  
519, 43 Md 122,  
47 Md 347

1862, c 161  
Words import-  
ing want or  
failure of issue  
construed  
32 Md 101, 33  
Md 569, 36 Md  
680, 38 Md 423,  
41 Md 488, 47  
Md 347.

**4.** All devises and bequests of any lands or tenements devisable by law, shall be in writing, and signed by the party so devising the same, or by some other person in his presence, and by his express directions, and shall be attested and subscribed in the presence of the said devisor, by three or four credible witnesses, or else they shall be utterly void and of none effect.

**5.** No devise in writing of lands, tenements, or hereditaments, or any clause thereof, shall be revocable otherwise than by some other will or codicil in writing, or other writing declaring the same, or burning, cancelling, tearing, or obliterating the same by the testator himself, or in his presence and by his directions and consent; but all devises and bequests of lands and tenements shall remain and continue in force until the same be burnt, cancelled, torn, or obliterated by the testator or his directions in manner aforesaid, or unless the same be altered by some other will or codicil in writing, or other writing of the devisor, signed in the presence of three or four witnesses, declaring the same.

**6.** No will in writing concerning any goods or chattels, or personal estate, shall be repealed, nor shall any clause, devise, or bequest therein be altered or changed by word of mouth only, except the same be in the lifetime of the testator committed to writing, and after the writing thereof read unto the testator and allowed by him, and proved to be so done by three witnesses at the least.

**7.** No devise, legacy, or bequest shall lapse or fail of taking effect by reason of the death of any devisee or legatee (actually and specially named as devisee or legatee, or who is or shall be mentioned, described, or in any manner referred to, or designated or identified as devisee or legatee in any will, testament, or codicil), in the lifetime of the testator; but every such devise, legacy, or bequest shall have the same effect and operation in law to transfer the right, estate, and interest in the property mentioned in such devise or bequest, as if such devisee or legatee had survived the testator.

**8.** In every will whereby any lands or real property shall be devised to any person, and no words of perpetuity or limitation are used in such devise, the devisee shall take under and by virtue of such devise, the entire and absolute estate and interest of the testator in such lands or real property, unless it shall appear, by devise over or by words of limitation or otherwise, that the testator intended to devise a less estate and interest.

**9.** In any devise or bequest of real or personal estate, the words "die without issue," or "die without leaving issue," or "have no 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