

prove the same, or to some executor named in the will, for the space of three calendar months after the death of the testator shall be known to him, he shall be subject, on conviction in a court of law, to such fine as the court shall in their discretion think proper.

P. G. L., (1860,) art. 93, sec. 314. 1862, ch. 155.

326. Any will or codicil may be proved in any county or Baltimore city wherein letters testamentary or of administration may be granted.

Schultz v. Houck, 29 Md. 24. Johns v. Hodges, 62 Md. 525.

Ibid. sec. 315. 1798, ch. 101, sub-ch. 2, sec. 6.

327. If any will or codicil be exhibited for proof to the register of wills of the county wherein the same may be proved, in the recess of the court, and any of the next relations of the deceased shall attend and make no objections, or enter no caveat, or if it shall appear that reasonable notice of the time of exhibiting the same hath been given to such of the next relations as might conveniently be therewith served, and no person shall object or enter a caveat, the register shall proceed to take the probate thereof.

Johns v. Hodges, 62 Md. 525.

Ibid. sec. 316. 1798, ch. 101, sub-ch. 2, sec. 7.

328. If any such will be exhibited for probate to the orphans' court of the county where the same may be proved, and any of the next relations of the deceased shall attend, or if notice shall appear to have been given as aforesaid, and no caveat shall have been made against the same, the said court may forthwith proceed to take probate thereof.

Emmert v. Stouffer, 64 Md. 543.

Ibid. sec. 317. 1798, ch. 101, sub-ch. 2, sec. 8.

329. If any will or codicil be exhibited to the orphans' court, and none of the near relations of the deceased shall attend, and no notice shall appear to have been given, the court may either direct summons to the said near relations, or some one or more of them, to appear on some fixed day to show cause wherefore the same should not be proved, or direct such notice to be given