

to record the same as other wills admitted to probate in his office; and a copy of any record which has heretofore been made or shall hereafter be made as hereinbefore provided certified under the hand of said register and the seal of his office, shall be evidence in all suits and actions to be tried in any court in this State, or before any justice of the peace, wherein the title to any property, real or personal, thereby devised or given shall be in question, with the same force and effect as if the original will had been admitted to probate in this State, according to the laws thereof.

Beatty v. Mason, 30 Md. 409. *Wright v. Gilbert*, 51 Md. 146.

1888, art. 93, sec. 339. 1860, art. 93, sec. 328. 1831, ch. 315, sec 16

348. Every will, when proven, shall be retained and preserved in the office of the register of wills of the county, and shall not be delivered out of such office to any person or persons whomsoever; and every issue of *devisavit vel non* sent from a court of equity shall be tried in the county of the office aforesaid, at which trial said will may be adduced in evidence under the care of said register, or of any person in that behalf by him deputed, under a subpoena *duces tecum*, issued on the special order of the court holding such trial; and in like manner such will may be produced in evidence on the trial in any court of this State of any issue involving the said will, and requiring its production, in the opinion of the said court; but the said will shall not at any time be taken or kept out of the care and custody of the said register, or of the person deputed as aforesaid.

Connolly v. Beall, 77 Md. 120.

Ibid. sec. 340. 1864, ch. 157.

349. Every register of wills in this State shall receive for safe keeping the will of any living person who resides in the city or county for which such register is appointed, every such will being first sealed up and endorsed with the name of the testator, its date, and the date of its delivery to the register, and the name of the executor or other person to whom it may be delivered at the death of the testator; and such register shall receive for each will so deposited fifty cents, and shall immediately index it in an index to be kept for that purpose, and there keep it in a depository to be kept for that purpose, until the death of the testator, unless delivered to such testator or to his order, in his lifetime, upon a receipt therefor being given on said index.