

1. AN act relating to the public roads in Caroline county; which repeals all acts relating to the public roads of said county; except as therein is excepted. 1798, c. 16.
2. An act relating to the public roads in Somerset county, which repeals several acts therein mentioned, so far as they relate to the said county. Ibid. c. 38.

TESTAMENTARY SYSTEM.

1. EVERY provision rule or regulation contained in any act of assembly heretofore passed, or in any English statute introduced, used or practised under, in this state, which is inconsistent with, or repugnant to, any thing contained in this act, is hereby repealed and renewed utterly void and of no effect. 1798, c. 101, § 2.
2. The following rules, orders and regulations, shall be taken, held and considered, in all courts, tribunals and offices, and by all judges, justices and officers in this state, to be the law of the land. Ibid. § 3.

CHAP. 1. *How wills shall be made, and their effect.*

1. ALL lands, tenements and hereditaments, which might pass by deed, or which would, in case of the proprietor's dying intestate, descend to, or devolve on, his or her heirs or other representatives, except estates tail, shall be subject to be disposed of, transferred and passed, by his or her last will, testament or codicil, under the following restrictions.
2. No will, testament or codicil, shall be effectual to create any interest or perpetuity, or make any limitation, or appoint any uses, not now permitted by the constitution or laws of the state.
3. No will, testament or codicil, shall be good and effectual for any purpose whatever, unless the person making the same be, at the time of executing or acknowledging it as hereafter directed, of sound and disposing mind, and capable of executing a valid deed or contract. No will, testament or codicil, shall be good and effectual to pass any interest, or estate in any land, tenement, or incorporeal hereditament, unless the person making the same, if a male, be of the full age of twenty-one years, and if a female, of the full age of eighteen years.
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; and moreover, 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 by 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, any former law or usage to the contrary notwithstanding.

CHAP. 2. *How wills shall be authenticated or proved.*

1. IF any person, to whom a will or codicil hath been or shall be delivered by the party making it for safe custody, shall alter or destroy the same, without the direction of the said party, or willfully secrete it for the space of six months after the death of the party shall be known to him or her, on conviction thereof the person so offending shall be sentenced to such punishment as is inflicted by law in cases of grand larceny.
2. It shall be lawful for any private person, in whose possession or custody a will or codicil shall be, after the death of the testator or testatrix; to open and read the same in the presence