59-606—**Execution and attestation.** Every will, except an oral will as provided in section 44, shall be in writing, and signed at the end thereof by the party making the same, or by some other person in his presence and by his express direction, and shall be attested and subscribed in the presence of such party by two or more competent witnesses, who saw the testator subscribe or heard him acknowledge the same.

59-607—**Competency of witness.** If a witness to a will is competent at the time of his attestation, his subsequent incompetency shall not prevent the admission of such will to probate.

59-608—**Noncupative will.** An oral will made in the last sickness shall be valid in respect to personal property, if reduced to writing and subscribed by two competent, disinterested witnesses within thirty days after the speaking of the testamentary words, when the testator called upon some person present at the time the testamentary words were spoken to bear testimony to said disposition as his will.

59-609—**Will executed without state.** A will executed without this state in the manner prescribed by this act, or by the law of the place of its execution, or by the law of the testator's residence either at the time of its execution or of the testator's death, shall be deemed to be legally executed, and shall have the same force and effect as if executed in compliance with the provisions of this act: **Provided,** Said will is in writing and subscribed by the testator.

59-610—**Revocation by marriage and birth; divorce.** If after making a will the testator marries and has a child, by birth or adoption, the will is thereby revoked. If after making a will the testator is divorced, all provisions in such will in favor of the testator's spouse so divorced are thereby revoked.

59-611—**Manner of revocation.** Except as provided in section 46, no will in writing shall be revoked or altered otherwise than by some other will in writing; or by some other writing of the testator declaring such revocation or alteration and executed with the same formalities with which the will itself was required by law to be executed; or unless such will be burnt, torn, cancelled, obliterated or destroyed, with the intent and for the purpose of revoking the same, by the testator himself or by another person in his presence by his direction.

59-612—**Revocation of second will not revivor of first.** If the testator shall make a second will, the revocation of the second will shall not revive the first will, unless it appears by the terms of such revocation that it was his intention to revive the first will, or unless after such revocation he shall duly republish his first will in the presence of two or more competent witnesses who shall subscribe the same in the presence of the testator.

59-613—**After-acquired property.** All property acquired by the testator after making his will shall pass thereby in this manner as if possessed by him at the time when he made his will, unless a different intention appears from the will.

59-614—**When devise passes whole.** Every devise of real estate shall pass all the estate of the testator therein, unless it clearly appears by the will that he intended a less estate to pass.

59-615—**Issue of relative.** If a devise or bequest is made to an adopted child or any blood relative by lineal descent or within the sixth degree, and such adopted child or blood relative dies before the testator, leaving issue who survive the testator, such issue shall take the same estate which said devisee or legatee would have taken if he had survived, unless a different disposition is made or required by the will.

59-616—**Probate essential.** No will shall be effectual to pass real or personal property unless it shall have been duly admitted to probate.

59-617—**Limitation on probate of a written will.** No will of a testator who died while a resident of this state shall be effectual to pass property unless an application is made for the probate of such will within one year after the death of the testator, except as hereinafter provided.

59-618—**Liability and effect of withholding will.** Any person who has possession of the will of a testator dying a resident of this state, or has knowledge of such will and access to it for the purpose of probate, and knowingly withholds it from the probate court having jurisdiction to probate it for more than one year after the death of the testator, shall be barred from all rights under the will and shall be liable for all damages sustained by such beneficiaries who do not have such possession of the will and are without such knowledge thereof and such access thereto; and the said will may be admitted to probate as to any innocent beneficiary on the application by him for such probate, if such application is made within ninety days after he has knowledge of such will and access thereto and within five years after the death of the testator: **Provided,** the title of any purchaser in good faith, without knowledge of such will, to any property derived from the fiduciary, heirs, devisees, or legatees of the decedent, shall not be defeated by the production of the will of such decedent and the application for probate thereof after the expiration of one year from the death of the decedent.

59-619—**Limitation on probate of oral will.** No oral will shall be admitted to probate unless an application is made therefor within six months after the death of the testator.

59-620—**Deposit of wills; certificate; opening; venue.** A will enclosed in a sealed wrapper, upon which is endorsed the name and address of the testator, the day when the person by whom it is delivered,