

within the Intent of the said Act, notwithstanding such Legacy or Bequest.

IV. Provided always, and be it further enacted, That in case of such Tender and Refusal as aforesaid, such Person shall in no wise be entitled to such Legacy or Bequest, but shall be for ever afterwards barred therefrom; and in case of such Acceptance as aforesaid, such Person shall retain to his own use the Legacy or Bequest which shall have been so paid, satisfied or accepted, notwithstanding such Will or Codicil shall afterwards be adjudged or determined to be void for want of due Execution, or for any other Cause or Defect whatsoever.

V. And be it further enacted, That in case any such Legatee as aforesaid, who hath attested the Execution of any Will **783** *or Codicil already made, or shall attest the Execution of any Will or Codicil which shall be made on or before the said twenty-fourth Day of *June*, in the Year of our Lord one thousand seven hundred and fifty-two, shall have died in the Lifetime of the Testator, or before he shall have received or released the Legacy or Bequest so given to him as aforesaid, and before he shall have refused to receive such Legacy or Bequest, on Tender made thereof, such Legatee shall be deemed a legal Witness to the Execution of such Will or Codicil, within the Intent of the said Act, notwithstanding such Legacy or Bequest.

VI. Provided always, That the Credit of every such Witness so attesting the Execution of any Will or Codicil, in any of the Cases in this Act before mentioned; and all Circumstances relating thereto, shall be subject to the Consideration and Determination of the Court, and the Jury, before whom any such Witness shall be examined, or his Testimony or Attestation made use of; or of the Court of Equity, in which the Testimony or Attestation of any such Witness shall be made use of; in like Manner, to all Intents and Purposes, as the Credit of Witnesses in all other Cases ought to be considered of and determined.

VII. And be it further enacted by the Authority aforesaid, That no Person to whom any beneficial Estate, Interest, Gift, or Appointment shall be given or made, which is hereby enacted to be null and void as aforesaid, or who shall have refused to receive any such Legacy or Bequest, on Tender made as afore-