

Lib. L. L.
No. 64.

whether she will be content with such devise or will have her thirds and release the Devise and if she make Choice to have what is so bequeathed or devised to her then by that Choice she shall be for ever barred from claiming her third part aforesaid And if she renounce what is so bequeathed and devised she shall then have her third part aforesaid and be barred of her devise but shall not claime or have both.

Provided allways that such part of the personall Estate or Estates be lyable to pay the Debts of the deceased as other part of the Estate is or ought to be

And if such wife widow or relict have any part of her Husbands land or reall Estate of Inheritance devised to her by her husband and that it do not appear by any part of the will that he intended her such part of his reall Estate aforesaid and a Dower out of the rest of his reall Estate besides Then it shall be lawfull for such wife widow or relict to make her election p. 32 as aforesaid within the time aforesaid whether she will accept of such devise or of the third part of all her husbands reall Estate of which she is indowable and if she accept of her devise she shall be forever debarr'd of her Dower out of the rest of the Testators reall Estate aforesaid And if she accept of her Dower then such acceptance shall be adjudged a full recompence of her devise aforesaid and Land so devised as aforesaid to such wife widow or relict shall be allways intended to be but for life Except it be expresly devised forever or to such woman and her heires or to such woman and her Assigns.

And be it further Enacted by the Authority Advice and Consent aforesaid that every woman who since the twenty seventh day of June One thousand six hundred ninety nine having had any part of her husbands personall Estate given or devised to her by her husband in his last will and testament or Codicill and having no part of her said husbands land or reall Estate devised to her shall by such bequest and devise of any part of the personall Estate except so mencond in such Will or Codicill aforesaid be debarr'd of her Dower of his land but that if no Dower be assign'd her she may notwithstanding the said Act now demand or sue for her Dower and the mean profitts thereof if she have been defac'd contrary to the tenour of this Act.

Provided allways that if any married woman shall have any Estate settled upon her by Joynture or other settlement before Marriage such Joynture or Settlement shall barr her of her Dower of her husbands lands yet it shall be lawfull for her to accept what her husband shall by his last will and Testament devise her

And whereas many Orphans have greatly Suffered by the Second marriages of such widows who having Estates in