

and if she Accepts of her dower then such Acceptance shall be Adjudged a full recompence of her devise af^d but in Case she shall neglect to make such Election within the time af^d she shall then by such Election be Concluded to what is devised to her and shall be thereby barred of her dower of such Decēds Reall Estate Unless itt shall appear to be the designe of the devisor that such widdow shall have both devise and Dower Any Law Statute Usage or Custome to the Contrary notwithstanding.

Provided always that if any Married woman shall have any Estate Settled upon her by Joynture or other Settlement before Marryage such Joynture or Settlement shall barr her of her dower of her husbands Lands yet itt 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 Marryages of such widdows who having Estates in possession by will or right of Adminis^rn Either by such widdows while sole or their husbands dureing the Coverture the same have been wasted and Imbezelled and if the woman dye the said husband refuses to render an Acc^t of such Estate Alledging that he is neither Ex^r nor Adminis^r to his wife nor of her former husband whereas att Comon Law a woman Covert Ex^{tr} Can do no Act to prejudice her husband all such Acts dureing the same being Void without his Consent he not preventing such waste when in his power ought to Answer for the same—

Be itt therefore Enacted by the Authority af^d by and with the Advice and Consent af^d that for Every such waste by such second husband dureing the Coverture such husband shall Account for the same and be Lyable to be sued together with his wife if Living or by himselfe if she be dead (as well as the security) for the said Estate due to such orphan by such orphan if att age if under age by his Guardian and alsoe for all waste Comitted by his wife before Marryage or by himselfe afterwards and whereas Orphans of persons dying Intestate by the good provision of this Law in Committing them to the Care of the County Court to Inspect the good Condⁿ of their Securitys and good usage as af^d are by Experience found to be in better Condition in respect of both then the Orphans of Testators whose Ex^{tr}s hitherto have rarely given any Security and that the security they have given many times proves Insolvent—

Be itt therefore Enacted by the Authority af^d by and with the Advice and Consent af^d that the Judge for probatt of wills shall hereafter take good and Sufficient Security of all Ex^{tr}s and Adminis^{tr}s to the Use of any orphan or orphans in