widow, according to her age, health, and condition, is declared to be the rule in cases, like the present, where lands are sold for the benefit of infants; 1816, ch. 154, s. 10; as well as in those cases where the Court is authorized to sell the realty in order to save the personalty. 1818, ch. 193, s. 8; 1819, ch. 143. Dower is a life interest in one-third of a real estate; and, considered merely as such, it would seem necessarily to follow, that a similar rule and limited range of discretion might have been laid down for fixing the value of a life interest in the whole estate, as well as in the one-third of it only. But, in amending the Act to Direct Descents, so as to provide for allowing an equivalent value to tenants by the curtesy, and to tenants for life, claiming by deed or devise, it was declared, that there should be awarded to such tenants for life such proportion of the purchase money as the Court, upon consideration of the age, health, and condition of the tenant for life, should think just and equitable in lieu of such life estate, thus leaving the Court's range of discretion entirely unlimited. 1809, ch. 160, s. 4; 1810, ch. 25, s. 2; 1811, ch. 200, s. 2; 1812, ch. 181, s. 1. And these amendments have been engrafted into the existing general Act to Direct Descents, without any material alteration. 1820, ch. 191, s. 35, 36, 37 and 38.

There is nothing in any of these laws, which shews, that in estimating the value of a life interest in land any separation or distinction was distinctly directed to be made between that portion of the purchase money of the whole which should be regarded as the price of the life interest only, and that which was to be considered as the price of the remainder or reversion. But such a distinction does not seem to have been altogether lost sight of in all the laws in relation to this matter; for it is declared, that upon a sale of a reversion belonging to an infant, with the assent of the tenant for life, the Court shall order the annual interest, or such part thereof as may be deemed equitable to be paid over to such tenant for life during his life. (1816, ch. 154, s. 13, which Act has been explained and extended to remainders by 1831, ch. 311, s. 9.) Whence it is, clear, that the Legislature has not deemed it just in every in-
267 stance to award to the tenant for life * all the annual interest, as it may arise, from the whole purchase money, including that proportion of it which must be considered as the price of the reversion, as well as of that which may properly be regarded as the price of the life estate. Apart from these legislative enactments in relation to these specified estates for life in land; and as regards all other life interests in land, annuities for life, &c. the Courts of justice have been left without any positive or general rule as their guide, to adjust the value of life interests, when called upon, as they could according to the general principles of law and justice.