

is reported to said court for its ratification, the sale may be ratified by said court at once without the publication of an order *nisi*; provided, all parties in interest are *sui juris* and their consent is given to such immediate ratification.

Widows.

An. Code, sec. 301. 1904, sec. 297. 1888, sec. 291. 1798, ch. 101, sub-ch. 13, sec. 1.

310. Every devise of land or any estate therein, or bequest of personal estate to the wife of the testator shall be construed to be intended in bar of her dower in lands or share of the personal estate, respectively, unless it be otherwise expressed in the will.

This section does not justify the contention that every devise or bequest to the wife where testator does not state that it is not in lieu of her dower or share of his personal estate is upon condition that she survive the testator, and hence sec. 335 does not apply. Purpose of this section. See notes to sec. 335. *Redwood v. Howison*, 129 Md. 587.

A widow held to have been devised and bequeathed property within the meaning of this section. *Collins v. Carman*, 5 Md. 524.

This section applied and referred to in construing a will. *Daughters v. Lynch*, 93 Md. 309. And see *Gough v. Manning*, 26 Md. 366; *Durham v. Rhodes*, 23 Md. 241.

As to wife's interest in deceased husband's personal estate, see sec. 125, *et seq.*

See notes to secs. 311 and 326.

As to dower, see art. 45, secs. 6 and 7.

An. Code, sec. 302. 1904, sec. 298. 1888, sec. 292. 1798, ch. 101, sub-ch. 13, sec. 2. 1831, ch. 315, sec. 2. 1922, ch. 348. 1924, ch. 223.

311. A surviving husband or widow shall be barred of his or her right of dower in land or share in land or share in the personal estate by any such devise or bequest, unless within six months after the first grant of letters testamentary upon the wife's or husband's will, as the case may be, he or she shall deliver or transmit to the Court or Register of Wills where administration has been granted a written renunciation in substantially the following form or to the following effect:

"I, A. B., widow or widower, as the case may be, of
 late of deceased, do hereby renounce and
 quit all claim to any bequest or devise made to me by the last will and
 testament of my wife or husband, exhibited and proved according to law;
 and I elect to take in lieu thereof my dower in lands and my legal share of
 the personal estate of my said wife or husband, or my legal share of both
 the real and personal estate of my said wife or husband." If the election
 be of dower in lands and the legal share of the personal estate, the said
 surviving husband or widow shall take dower in lands and one-third of
 the surplus personal estate (if the deceased spouse shall be survived by
 descendants), and dower in lands and one-half of the surplus personal
 estate (if the deceased spouse shall not be survived by descendants) and
 no more. If the election be of the legal share of both real and personal
 estate, the surviving husband or wife shall take one-third of the lands,
 as an heir, and one-third of the surplus personal estate (if the deceased
 spouse shall be survived by descendants) and one-half of the lands, as an