

89. Designation of property equivalent of ~~two~~ *four* thousand dollars to be taken by spouse under certain sections.

Whenever any surviving spouse shall be entitled to take under the provisions of either Sections 137, 329 or 333 of this Article, the equivalent of ~~[\$2,000.00]~~ *\$4,000.00*, or any part thereof in real or leasehold property, the orphans' court shall, by its order, designate the real or leasehold property or interest therein so to be taken by said spouse; and any executor, administrator or administrator c.t.a. of the decedent shall, in such case, execute and deliver to said spouse a proper deed of such real or leasehold property or interest therein so designated by the order of the orphans' court. Such deed shall be good and valid and shall pass all the right, title, claim and interest of the decedent in the real or leasehold property or interest therein, as by said deed conveyed.

329. Renunciation of will by husband or widow.

(a) 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 thirty (30) days after the expiration of the notice to creditors in the wife's or husband's estate, 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 widow or widower be insane at the time of election, the guardian (committee or trustee) or the court shall have power to make the election for said widow or widower.

(b) 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 the lands as an heir, and one-half the surplus personal estate (if the deceased spouse shall not be survived by descendants, but shall be survived by a father or mother); and ~~two~~ *four* thousand dollars or its equivalent in property, or any interest therein, at its appraised value, and one-half of the residue of the lands as an heir and one-half of the surplus personal estate remaining (if the deceased spouse shall not be survived by descendants or a father or mother), and no more.

333. Renunciation not required if nothing passes to widow by devise.