

husband's estate, as the case may be, he or she] *seven months after the date of the decedent's death in case of dower or, in case of share in land or share in the personal estate, seven months after the grant of letters testamentary or letters of administration on the estate of the deceased spouse, the surviving spouse shall [deliver or transmit to] file with the court or register of wills where administration has been granted (or where provided in Section 4 of Article 46 if no administration has been granted) a written claim or renunciation and election in substantially the following form or to the following effect, and such election shall be indicated at the same time:*

I, A. B., [widow or widower, as the case may be,] *the surviving spouse of ....., late of ....., [deceased,] do hereby renounce and quit all claim to any bequest or devise, if any, 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, or I do hereby claim, as the case may be, my dower in lands and my legal share of the personal estate of my said wife or husband, or [by] 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] *spouse shall take dower in lands and one-third of the surplus personal estate (if the deceased spouse shall be survived by the 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] spouse 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 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.*

### 330.

The *claim or renunciation and election* as provided in Section 329 may be made by the guardian of an infant spouse, when authorized so to do by the court having jurisdiction of the infant's estate, or may be made on behalf of an incompetent when authorized by the equity court having jurisdiction of the person of said incompetent. The time for *claim or renunciation and election* by any spouse may be enlarged before its expiration by an order of the orphans' court where the will was probated, *or, in the case of dower and when no administration has been granted, in the county where the real estate is situate*, for a further period of not exceeding six months upon any one application, upon a petition showing reasonable cause and on notice given to such persons and in such manner as the orphans' court may direct.