

with or alter any limitation, grant or gift, by devise, conveyance or otherwise, to special or particular heirs in a different course of descent from what is by this act specified; but in such cases the descent shall be according to the limitation or form of the gift, devise or grant, until the entail shall be legally barred or destroyed; nor shall this act be taken or construed to bar or affect any widow's right of dower.—*ibid.* § 6.

6. If any man shall have one or more children by any woman, whom he shall afterwards marry, such child or children, if acknowledged by the man, shall in virtue of such marriage and acknowledgment, be hereby legitimated, and capable in law to inherit and transmit inheritance as if born in wedlock—*ibid.* § 7.

7. In case the parties entitled to the intestate's estate cannot agree upon the division thereof, or in case any person entitled to any part be a minor, an application may be made to the court of the county where the estate lies, and the court shall appoint and issue a commission to 5 discreet sensible men, who before they act shall take an oath, to be annexed to the commission, well and truly, and without favor, partiality or prejudice, to adjudge and determine whether the estate will admit of being divided without injury and loss to all the parties entitled, and to ascertain the value of such estate in current money, and if the estate can, in the opinion and judgment of the commissioners, or a majority of them, be divided without loss and injury to all the parties entitled, that they will then divide and make partition of the same fairly and equally in value between all the parties interested, according to their several just proportions; and if the said commissioners, or a majority of them, shall determine that the estate cannot be divided without loss to all the parties, then they shall make return to the county court of their judgment, and the reasons upon which the same is formed, and the real value of the estate in current money; and if the judgment of the commissioners shall be confirmed by the county court, then the eldest son, child or person entitled, if of age, shall have the election to take the whole estate, and pay to the others their just proportions of the value in money; and if the eldest child or person entitled refuses to take the estate, and pay to the others money for their proportions, then the next eldest child or person entitled, being of age, shall have the same election, and so on to the youngest child or person entitled; and if all refuse, then the estate shall be sold under the direction of the said commissioners, or a majority of them, for money or upon credit, as they, with a majority of the persons interested, who are of age, and the guardians of such as may be minors, shall determine to be most advantageous to all concerned, and the purchase money shall be justly divided among the several persons interested according to their respective titles to the estate; but if all the parties entitled shall be minors at the death of the intestate, the estate shall not be sold until the eldest arrives to age, and the profits of the estate shall be equally divided in the mean time; and if the commissioners, or a majority of them, shall determine