

TESTAMENTARY SYSTEM.

purchaser, with security, giving bond to the said ward, bearing interest; and all proceedings relative to such sale shall be as herein directed with respect to sales by executors or administrators.

13. Every account of a guardian shall state his expenditures in maintaining and educating the ward, not exceeding the income of the estate, unless allowed by the court; and for no balance of money in his hands shall he be charged interest, unless he shall consent to take the same on interest, but the court may direct him to place the same at interest, taking bond to the orphan, with security, approved by the court; and for the trouble and care of such guardian, the court may allow any commission, not exceeding seven *per cent*.

14. On a guardian's failing to account as herein directed, his bond shall be liable, and he shall also be liable to attachment and fine as aforesaid, but he shall not be liable to any fine in a court of law, any act to the contrary notwithstanding.

15. On the ward's arrival at age as aforesaid, the guardian shall exhibit a final account to the orphans court, and shall deliver up, agreeably to the court's order, to the said ward, or the husband, (as the case may require,) all the property of such ward in his hands, including bonds, and other securities, and on failure his office bond shall be liable, and he shall also be liable to attachment and fine as aforesaid.

16. Nothing in this act contained shall be construed to affect the general superintending power exercised by the court of chancery with respect to trusts.

C H A P. XV.

Rights of widows.

1. **A** WIDOW shall be entitled to dower in all lands whereof her husband might have been entitled in law or equity to be tenant by the curtesy, in case the said lands belonged to her, and she had died in the life-time of her husband.

2. A widow shall be barred of her claim to dower in the lands of the deceased, and all right to her share of the personal estate, by any marriage settlement as heretofore, provided she was of the age of sixteen at the time of making it, and provided, in case she was above sixteen, and under twenty-one years of age, at the time of making such settlement, that her father, mother or guardian, be a party to such settlement.

3. 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.

4. A widow shall be barred of her right of dower in land, or share in the personal estate, by any such devise or bequest, unless, within ninety days after the authentication or probat of the will, she shall deliver, or transmit to the court where such authentication or probat hath been made, a written renunciation in the following form, or to the following effect:

"I, A. B. widow of ———, late of ———, deceased, do hereby renounce and quit all claim to any bequest or devise made to me by the last will of my husband, exhibited and proved according to law; and I elect to take, in lieu thereof, my dower, or legal share of the estate of my said husband, A. B."

But, by renouncing all claim to a devise or bequest, or devises or bequests, of personal property, made to her by the will of her husband, she shall be entitled to one third part of the personal estate of her husband, which shall remain after payments of his just debts, and claims against him, and no more.