

1916, ch. 325, sec. 3.

3. A surviving husband or widow shall take, as heir, the same share or proportion in any lands, tenements or hereditaments within this State belonging to the deceased spouse at the time of his or her death, though such deceased spouse die testate, which such surviving husband or widow would take in the personal property of a resident spouse so dying testate; but such share shall be subject to be barred by provisions in his or her favor by such will to the same extent and in the same manner as is provided by law with respect to barring dower by the acceptance of such testamentary provisions, and election not to accept said provisions shall be made in the same manner and within the same time as is so provided.

But nothing in this section shall be taken as giving a husband or wife any right of conveying, by deed *inter vivos*, his or her real estate free of any right of dower of any husband or wife therein, without the joinder of said husband or wife.

1916, ch. 325, sec. 4.

4. The Act of 1916, Chapter 325, shall not be construed as abolishing the estates known as the dower of a widow and the dower of a surviving husband, but any party entitled to such right of dower shall be presumed to have waived and surrendered the same, and to have accepted the provisions of the Act, unless within the period of six months after the death of the spouse by virtue of whose ownership such right of dower attached, such surviving wife or husband shall file with the Orphans' Court or Register of Wills for the county or counties where such real estate is situate, a signed written election to take the dower to which she or he is so entitled by virtue of such inchoate right; in which case such surviving wife or husband shall be entitled to dower, but shall be considered to have renounced any other right in the real estate in Maryland of the deceased spouse in favor of the other heirs, to whom the same shall pass.

5-23. Repealed. (Act 1916, ch. 325.)

24.

See notes to article 16, sections 34 and 94.

25-28. Repealed. (Act 1916, ch. 325.)

31. Repealed. (Act 1916, ch. 325.)

Division and Election.

34.

While the interests of the heirs are protected from the consequences of a substantial departure from the procedure pointed out in this and the