

(b) On the second \$100,000 of gross income from sales of ore or ore products or any part thereof, 10 per cent;

(c) On the third \$100,000 of gross income from sales of ore or ore products or any part thereof, 5 per cent;

(d) On all gross income from sales of ore or ore products in excess of \$300,000, 3 per cent.

(2) In no case shall the depletion allowance provided in subsection (1) be in excess of 50 per cent of net income as computed under this chapter without the benefit of the depletion allowance provided by this section.

(3) In computing depletion allowance there shall be first deducted from gross income all sums paid for rents or royalties, or for the purchase of crude ore or concentrates.

(4) When depletion allowance is taken as a deduction pursuant to this section the savings in tax due to such depletion allowance shall be used by the taxpayer in prospecting for ore, and proof thereof duly verified shall be furnished the tax commission.

Approved July 7, 1947.

No. 73, S.]

[Published July 9, 1947.

CHAPTER 371.

AN ACT to repeal and recreate 233.23 of the statutes, relating to estates by curtesy.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 233.23 of the statutes is repealed and recreated to read:

233.23 ESTATE BY THE CURTESY. The husband of every wife dying after September 1, 1947 shall be entitled to curtesy defined to be a one-third part of all the lands of which she died seized of an estate of inheritance and which were not disposed of by her last will and testament. But such surviving husband shall have no curtesy in any homestead of which his wife died seized, except in the proceeds thereof in lieu of his homestead rights in case of the sale of the premises while he has homestead rights therein.

SECTION 2. This act shall take effect September 1, 1947.

Approved July 8, 1947.