

No. 314, S.]

[Published May 18, 1903.

CHAPTER 265.

AN ACT relating to the possession and care of estate by executors and administrators and amendatory of section 3823 of the statutes of 1898, (making it harmonize with section 3874).

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

Possession and care of estate. SECTION 1. Section 3823 of the statutes of 1898 is hereby amended by inserting after the word "homestead" wherever it occurs in said section, the following words, to-wit: "When it is not subject to the debts and liabilities of the deceased owner," so that said section when amended shall read as follows: Possession and care of estates. Section 3823. The executor or administrator shall have a right to the possession of all the real as well as personal estate of the deceased, except the homestead when it is not subject to the debts and liabilities of the deceased owner, and may receive the rents, issues and profits of the real estate, except the homestead when it is not subject to the debts and liabilities of the deceased owner, until the estate shall have been settled or until delivered over, by order of the county court, to the heirs or devisees, and shall keep in good tenantable repair all houses, buildings and fences thereon, which are under his control.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1903.